

THE LEAGUE FROM YEAR TO YEAR (1938)

INFORMATION SECTION
LEAGUE OF NATIONS
GENEVA

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INTRODUCTION

The international tension, which since 1936 had constantly increased, narrowly missed giving rise to a European conflict in September. The League declared that recourse to war, whatever might be the outcome, was no guarantee of a just settlement and would imperil the structure of European civilisation.

The League dealt with the question of foreign intervention in Spain, and set up a Commission to verify the withdrawal of non-Spanish combatants from the Governmental zone.

It assured China of its moral support, agreed that the provisions of Article 16 were applicable to Japan, and condemned inhuman methods of warfare, particularly the use of poison gas and the bombing from the air of civilian populations.

The League continued its work relating to the application of the principles of the Covenant, and drew up a protocol with a view to effecting the "separation of the Covenant from the Peace Treaties". This protocol was signed by more than thirty States.

In the matter of technical work, the League paid particular attention to the development of the bases of international co-operation, especially through collaboration with non-member States, and set up a Co-ordination Committee on economic matters. It was decided to convene several conferences in 1939 — in particular, the Conference on Rural Life in Europe.

With regard to social and humanitarian questions, further assistance was given to China in her anti-epidemic campaign,

and the office of a High Commissioner for refugees was established in London.

In opening the ordinary session of the Assembly, the President of the Council spoke as follows :

“ Through all our thoughts these days there runs a challenging contrast between what is and what might be. We have fear, insecurity, gross inequality and want. We have intolerance born of fear, injustice practised by those who yesterday were themselves its victims. Instead of all these, we could, with the opportunities which are ours, and with the application of common sense and mutual help, build up a better order than the world has ever known.

“ This is a time of stocktaking, and in all our discussions concerning the League we should return to first principles, should stress the ideal of co-operation as underlying all our purposes. Were the League to cease altogether to function, it would soon enough be evident that some form of international co-operation, whether we call it by the name of the League or some other, would have to be rebuilt.

“ More and more are people realising that peace and progress cannot be had without united effort ; they recognise the truth of the paradox, that to avoid disaster and hardship they may have to share the risk of others. ‘ Bear ye one another’s burdens ’ is as vital a rule of life to-day as it ever was, and may well be applied to nations as to individuals.”

I. — POLITICAL AND ADMINISTRATIVE ACTIVITIES

The Assembly adopted a series of amendments to the Covenant with the object of eliminating various expressions which recalled the divisions of the great war. It also adopted a resolution affirming the independent existence of the Covenant. A protocol was opened for signature and has been signed by thirty-three Members of the League.

The Assembly passed a resolution concerning the collaboration of the League with non-member States, with a view to encouraging and facilitating such collaboration in regard to technical matters.

A proposal which specified, in regard to the application of the first paragraph of Article 11, that, in the majority of cases, the votes of the parties to a dispute should not be taken into consideration in calculating unanimity received only twenty-five votes, with two votes against and seven abstentions. It was therefore not adopted.

The question of Article 16, which had already been considered in the Committee of Twenty-eight during the debate on the universality of the League, was the subject of an important discussion in the Assembly.

The Swiss Government having requested that the traditional neutrality of the Swiss Confederation should be declared compatible thenceforward with the provisions of the Covenant, the Council decided that Switzerland should not in future be invited to take part in any way in the application of the provisions of the Covenant relating to sanctions.

The Council and the Assembly dealt with the situation created by foreign intervention in Spain. The Spanish Government announced that, wishing to contribute to the general appeasement, it had decided on the immediate withdrawal of all non-Spanish combatants taking part in the conflict. A Commission of the League was instructed to proceed to Spain to verify the execution of this decision.

The Council and the Assembly also examined the situation in the Far East. The Members of the League were again invited to refrain from any action which might have the effect of weakening China's powers of resistance, and to consider how far they could individually extend aid to China. The Chinese Government invoked Article 17 of the Covenant, and the Japanese Government having declined to be represented at the Council's discussions, the Council decided that the provisions of Article 16 were thenceforward applicable

and that the Members of the League were entitled to act individually on the basis of the findings come to.

The United Kingdom Government drew attention to the abnormal situation resulting from the fact that several States Members of the League had recognised the sovereignty of the Italian Government in Ethiopia, whereas other States had not done so. The great majority of the Members of the Council considered that it was for each Member of the League to decide this question for itself, in the light of its own situation and its own obligations.

The Assembly considered the problem of the protection of civilian populations against bombing from the air in case of war. After expressing its horror of such bombardments, the Assembly decided to leave to the Bureau of the Conference for the Reduction and Limitation of Armaments the responsibility for drawing up regulations adapted to aerial warfare and based on the principle of the condemnation of the various methods of intentional bombing of civilian populations.

The Mandates Commission reviewed the administration of the territories under mandate, devoting its attention more especially to Palestine and Syria and Lebanon. The Assembly noted that the mandatory system continued, in general, to give satisfactory results which could be placed to the credit of the League.

II. — TECHNICAL ACTIVITIES

The principal event in the work on Intellectual Co-operation was the conclusion of an International Act, drawn up by a Diplomatic Conference which met in Paris. The aim of this Act is, on the one hand, to encourage the setting-up and development of National Committees on Intellectual Co-operation and, on the other hand, to increase the financial resources of the International Institute of Intellectual Co-operation.

The Assembly and the Council endeavoured to extend the bases of international co-operation in economic and financial matters. A Co-ordination Committee, under the Chairmanship of Mr. Bruce, High Commissioner of Australia in London, was instructed to decide on the distribution of the work between the various Committees of the League.

The Assembly noted that, in the existing state of political tension and economic instability in the world, it was not possible to undertake any joint action on questions such as exchange control and raw materials. In these conditions, it considered that bilateral negotiations were the most satisfactory method to be employed for increasing trade. A delegation was instructed to study the question of the international co-ordination of national policies to combat economic depressions.

It was also decided to set up a Committee to study demographic questions in relation to the economic, financial and social situation.

In view of the improvement effected in the public finances of Hungary, it was decided to terminate the office of the representative of the Financial Committee in Budapest as from March 31st, 1938.

The Fiscal Committee resumed its study of the problem of fiscal evasion in the matter of taxation on income from movable capital; other Committees continued the studies undertaken concerning international loan contracts and the suppression of the falsification of securities; and an enquiry was made into the question of agricultural credits and insurances, especially in the countries of Central and Eastern Europe.

The outstanding feature in regard to the Communications and Transit Organisation was the putting into force of the Organisation's new Statute. In conformity with the provisions of this new Statute, the Assembly had to exercise a special supervision over the work accomplished by the Organisation during the period which had elapsed since the last General Communications and Transit Conference in

October 1931. A preliminary draft Convention will be submitted to a conference to be held in April 1939.

The Health Organisation supplied technical advice and gave active assistance in the sanitary reorganisation of the vast territory of China. Eight million doses of anti-cholera vaccine and four million doses of anti-smallpox vaccine were sent free of charge to China.

The Health Organisation also continued to study technical methods for the prevention and treatment of certain diseases. As regards the development of health, it has laid the foundations for studies of actual nutritional conditions and has proposed diets which are simple but will provide the essential elements of a sound nutrition.

On the question of housing, the studies made up to the present have been on the hygiene of heat exchanges, the noise abatement campaign, insolation and natural and artificial lighting, and, in the matter of physical training, on the physiological bases of such training and the definition of principles adapted to different ages. The preparatory work for the European Conference on Rural Life, which will meet in 1939, has been begun.

In its campaign against the abuse of opium and narcotic drugs, the League has, in particular, obtained satisfactory results in the application of the Conventions and in the preparation of a conference to consider the possibility of limiting and controlling the production of raw materials. Particular attention was paid by the Advisory Committee on the Traffic in Opium and by the Assembly to the situation in the Far East — especially in the regions of China under the control of the Japanese forces.

In the field of social questions, there was a notable development in the work of child welfare.

The investigation undertaken regarding the treatment of neglected and delinquent children reached its fourth stage — that of the placing of children in families. The Assembly approved the convening of a conference in 1940 for the conclusion of a convention for the suppression of the exploitation of the prostitution of others.

On December 31st, 1938, the Nansen International Office and the office of the High Commissioner for Refugees coming from Germany ceased their activities, their place being taken by a High Commissioner with headquarters in London, who will deal without distinction with all the categories of refugees formerly dependent on these two bodies. Sir Herbert Emerson was appointed to the post of High Commissioner for a period of five years.

The budget for 1939 was fixed at 32,234,012 Swiss francs. The Assembly, determined to pursue a policy of economy while maintaining to the fullest possible extent the activities of the League, decided to entrust to a special Committee of independent persons the task of making a detailed examination of the standing charges on the budget.

This Committee, which was appointed by the Council, came to the conclusion that the 1940 budget must be 20% lower than that for 1939 ; at the same time, it indicated the methods by which the necessary economies might be effected.

The construction of a League of Nations Pavilion at the New York World's Fair to be held in 1939 was definitely decided upon.

The present scale of allocation of expenses, which was adopted in 1936 for a period of three years, will cease to be in force on December 31st, 1939. The Assembly therefore appointed a Committee to examine the question anew.

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* *

The Governments of Chile and Venezuela gave notice of withdrawal under Article 1, paragraph 3, of the Covenant. The Federal State of Austria, which was absorbed by the German Reich, ceased to be a Member of the League.

The Dominican Republic, Greece and Yugoslavia were elected Members of the Council.

CHAPTER I

LEGAL AND CONSTITUTIONAL QUESTIONS

- I. Application of the Principles of the Covenant. — II. Neutrality of Switzerland. — III. Amendment to the Rules of Procedure of the Assembly. — IV. Constitution, Procedure and Practice of Committees. — V. Legal Status of Women. — VI. Registration of Treaties.

I. APPLICATION OF THE PRINCIPLES OF THE COVENANT

The question of the application of the principles of the Covenant, which was raised by the resolution adopted by the extraordinary session of the Assembly on July 4th, 1936, and examined in meetings of the Assembly and the Committee of Twenty-eight in 1937,¹ was the subject of important discussions during 1938. The question was dealt with by the Committee of Twenty-eight, the Council and the Assembly.

The Committee of Twenty-eight on the Application of the Principles of the Covenant held its third session from January 31st to February 2nd, 1938. This session was devoted to the discussion of the report by Viscount Cranborne (United Kingdom) on the question of the participation of all States in the League, a question which is closely connected in the minds of Governments with that of the sanctions provided for in Article 16. The majority of the members of the Committee of Twenty-eight made declarations concerning their attitude to this question. In view of the divergencies of opinion which were brought to light in the discussion, the Committee confined itself to adopting a short report to the Assembly which gave an account of the work done, the proposals adopted and the decisions come to on various subjects, and directed "the particular attention of Members of the League to the reports and Minutes attached to this report".

¹ See *The League from Year to Year (1937)*, page 87 *et seq.*

At its May session, the Council gave effect to a resolution adopted by the Assembly on October 4th, 1937, requesting the Council to examine the conditions in which the observations and suggestions of the non-member States should be obtained "as and when opportunity offers". The representative of Chile, who had put forward the proposal which led to the adoption of the Assembly resolution, was invited to the Council table. M. Edwards, representative of Chile, asked that they should make the League *de jure* what it already was, in his opinion, *de facto* — an international non-coercive organisation. The President of the Council pointed out, on behalf of the Council, that, since the Assembly was seized of the matter, it was impossible for the Council to discuss the substance of the question. M. Edwards stated that, in the absence of a general declaration by the Council as to the extreme urgency of reform, Chile deemed it impossible to continue to be a Member of the League. Chile's notice of withdrawal was received on June 2nd, 1938.

At the session of the Assembly, the question of the application of the principles of the Covenant was referred to the Sixth Committee.

Four categories of questions were discussed : (A) the question of the so-called separation of the Covenant of the League from the Peace Treaties ; (B) collaboration between the League and non-member States ; (C) Article 16 of the Covenant ; (D) the unanimity rule in its application to paragraph 1 of Article 11. In regard to the first two questions, the Assembly reached a definite decision. Article 16 was the subject of important declarations in the Sixth Committee.

A. — *Question of the So-called Separation
of the Covenant from the Peace Treaties*

It will be remembered that, on September 11th, 1937, the Committee of Twenty-eight requested a Committee of ten jurists to make suggestions regarding methods of bringing about the proposed separation.¹ The Committee suggested amendments to a number of articles of the Covenant. It

¹ See *The League from Year to Year (1937)*, page 38 *et seq.*

also prepared a draft resolution for the Assembly, designed to explain the spirit which had inspired the proposed amendments and to bring out the essential idea that the Covenant has an independent existence.

The Committee of Twenty-eight, on December 30th, 1937, merely transmitted to Governments the report of the Committee of Jurists, which it had not had time itself to examine. No observations on the subject were submitted by Governments.

In the course of the brief discussion which took place on this question in the Sixth Committee, and in the report submitted to the Assembly, Mr. Butler (United Kingdom) made it clear that there was no question of amending the Peace Treaties.

On September 30th, 1938, the Assembly adopted two resolutions with the above-mentioned object. These read as follows :

(1) *Resolution defining the Characteristics of the Covenant of the League.*

“ The Assembly,

“ Considering that, whatever the procedure be whereby various States have entered or may enter the League of Nations, the Covenant is a constitution common to all the Members of the League, regulating their relations with the object of developing co-operation between them and assuring them peace and security ;

“ Considering that, from the first, the Covenant has had an independent existence, which is expressed in particular :

“ (1) In its essential purpose, which is to establish a permanent institution ;

“ (2) In the existence of an Assembly and Council, through the instrumentality of which League action is effected ;

“ (3) In the procedure provided by the Covenant for admission into the League of Nations ;

“ (4) In the power given to Members of the League to amend the Covenant in conformity with the provisions of Article 26 ;

“ Considering that Members of the League of Nations have the same rights whatever be the date and method of their entry into the League ;

“ Desiring, after having thus indicated these essential characteristics of the Covenant, to remove certain difficulties arising out of a number of expressions employed therein, which, if they were to remain, might be considered an obstacle to the entry of other States into the League of Nations ;

“ Noting that, in order to attain this end, certain amendments should be introduced into the Covenant according to the procedure of Article 26, amendments which alter neither the real effect nor the spirit of the Covenant and which, it is hoped, will be promptly agreed to by Governments ;

“ Believing that the proposed amendments will meet the desire to extend the membership of the League of Nations :

“ Decides :

“ (1) To recommend to Governments of Members the prompt ratification of the Protocol embodying the amendments referred to above ;

“ (2) To request the Secretary-General to communicate the present resolution and the text of the said amendments to Members of the League and to States non-members to be named by the Council.”

(2) *Resolution for the Amendment of the Covenant.*

The Assembly adopted the following resolution, entailing amendments to the Preamble, Articles 1, 4 and 5, and the Annex of the Covenant :

“ PREAMBLE

“ The Preamble shall read as follows :

“ ‘ In order to promote international co-operation and to achieve international peace and security

“ ‘ by the acceptance of obligations not to resort to war,

“ ‘ by the prescription of open, just and honourable relations between nations,

“ ‘ by the firm establishment of the understandings of international law as the actual rule of conduct among Governments, and

“ ‘by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organised peoples with one another,

“ ‘*This Covenant has been adopted for the establishment of the League of Nations.*’¹

“ ARTICLE 1

“ Paragraph 1 shall be struck out.

“ Paragraph 2 shall become paragraph 1 and shall read as follows :

“ ‘1. Any fully self-governing State, Dominion or Colony *not being a member of the League of Nations* may become a Member *thereof* if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League of Nations in regard to its military, naval and air forces and armaments.’

“ Paragraph 3 shall become paragraph 2.

“ ARTICLE 4

“ Paragraph 1 shall read as follows :

“ ‘1. The Council shall consist of *Members of the League of Nations entitled to a permanent seat on the Council,* and of other Members entitled to a temporary seat thereon. The latter shall be selected by the Assembly from time to time in its discretion.*

“ * (The Members of the League entitled to a permanent seat on the Council on September 30th, 1938, were the United Kingdom of Great Britain and Northern Ireland, France, Italy and the Union of Soviet Socialist Republics.)

“ Paragraph 2 shall read as follows :

“ ‘2. *In addition to the Members of the League that have a permanent seat, the Council may, with the approval of the majority of the Assembly, name additional Members of the League whose representatives shall always be members of the Council; the Council with like approval may increase the number of Members of the League to be selected by the Assembly for representation on the Council.*

“ ARTICLE 5

“ Paragraph 1 shall read as follows :

“ ‘1. Except where otherwise expressly provided in

¹ The amendments are printed in italics.

this Covenant or by *agreements conferring certain powers on the League of Nations*, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the Members of the League represented at the meeting.'

“ ANNEX

“ The first part of the Annex shall be omitted.”

The Protocol for these amendments was opened for signature on September 30th, 1938, and up to December 31st, 1938, had been signed by the representatives of the following thirty-three Members of the League : Afghanistan, Argentine Republic, Belgium, Bolivia, United Kingdom of Great Britain and Northern Ireland, Bulgaria, Canada, China, Colombia, Cuba, Dominican Republic, Ecuador, Egypt, Estonia, France, Greece, Haiti, Hungary, India, Iran, Iraq, Ireland, Latvia, Mexico, Netherlands, Norway, Panama, Peru, Poland, Portugal, Spain, Uruguay and Switzerland.

B. — *Collaboration between the League of Nations
and Non-member States*

This question was the subject of a report by Viscount Cranborne in which, as Mr. Butler reminded the Assembly, the author observed that if the chances of obtaining universal membership of the League appeared remote the question of collaboration with non-member States would become of special importance.

The representative of the United Kingdom submitted a draft resolution, which met with no opposition in the Sixth Committee and was adopted on September 30th, 1938, by the Assembly.

This resolution reads as follows :

“ The Assembly,

“ Having noted the report submitted to it by the Committee of Twenty-eight on the Application of the Principles of the Covenant concerning the collaboration of non-member States in the work of the League ;

“ Recognising that since the foundation of the League a series of technical and non-political activities have been established of which the scope is in some cases world-wide :

“ Re-affirms with approval that it has been the consistent policy of the League to invite the collaboration of non-member States in such work ;

“ Notes with satisfaction that the response to this invitation has steadily increased ;

“ Believes that it is in the universal interest that such collaboration be developed ;

“ Considers that any comment or suggestion for the wider development of such technical and non-political collaboration which non-member States may care to make would be welcomed by the Members of the League represented at the Assembly ;

Requests the Secretary-General to transmit this resolution to non-member States.”

C. — *The Question of Article 16*

At the third session of the Committee of Twenty-eight, a number of observations were made concerning Article 16. In the general discussion at the Assembly or at meetings of the Sixth Committee the delegates of States who had made these observations renewed them, in some cases amplifying them, and dwelling especially on the political aspect of the question. In addition, the Members of the League who had not been represented on the Committee of Twenty-eight had the opportunity of stating their views.

Special mention must be made of the declaration to the Sixth Committee by the representative of the United Kingdom, for it was in relationship to that declaration that a number of States defined their position, either declaring their agreement with the declaration or expressing criticism of it. The following was the declaration made by the representative of the United Kingdom :

“ The text, structure and juridical effect of the Covenant remain unaltered. In view, however, of the special circumstances existing at the present time, His Majesty's Government in the United Kingdom will interpret its obligations under Article 16 of the Covenant in accordance with the following

propositions, which apply equally to the case where Article 16 becomes applicable by virtue of paragraph 3 of Article 17 :

“(1) The circumstances in which occasion for international action under Article 16 may arise, the possibility of taking such action and the nature of the action to be taken cannot be determined in advance : each case must be considered on its merits. In consequence, while the right of any Member of the League to take any measures of the kind contemplated by Article 16 remains intact, no unconditional obligation exists to take such measures.

“(2) There is, however, a general obligation to consider, in consultation with other Members of the League, whether, and if so how far, it is possible in any given case to apply the measures contemplated by Article 16 and what steps, if any, can be taken in common to fulfil the objects of that article.

“(3) In the course of such consultation, each Member of the League would be the judge of the extent to which its own position would allow it to participate in any measures which might be proposed, and, in doing so, it would no doubt be influenced by the extent to which other Members were prepared to take action.

“(4) The foregoing propositions do not in any way derogate from the principle, which remains intact, that a resort to war, whether immediately affecting any of the Members of the League or not, is a matter of concern to the whole League and is not one regarding which Members are entitled to adopt an attitude of indifference.”

There were two opposing trends of opinion. According to the first, the system of economic and financial sanctions had ceased to be compulsory. According to the second, it was necessary to maintain the system set up by the Covenant.

(1) Argument that the system of economic and financial sanctions has ceased to be compulsory, not only for those Members who invoke their special geographical or political situation, but for all Members of the League.

The partisans of this opinion did not dispute the scope of the text of Article 16, nor did they propose that that text should be amended at present. They maintained that such an amendment, apart from the fact that it would encounter difficulties of a practical nature, was not necessary and was possibly undesirable. It was not necessary, because the

termination of the compulsory character of the provisions of Article 16, paragraph 1, was the result of general circumstances and of the practice followed, of which it merely remained to take note. It was perhaps undesirable because it was to be hoped, as some delegates remarked, that the situation might develop and that the ideal represented by Article 16, which retains its force, might again be realised.

The non-universality of the League, the fact that several great States are outside the League, constituted a situation contrary to the expectations of the authors of the Covenant. The war of which it would be a question would be no longer the action of the international community against an isolated State, but a conflict between two *blocs* of States.

Furthermore, the Covenant formed an undivided whole. Article 8, providing for disarmament, which was considered a necessary condition if any repressive action was easily to attain its object, had not been put into effect. Article 19, providing for the peaceful revision of treaties, had not been applied. Article 16 itself had been applied badly, or not at all, in cases where it should have been applied. "The Members of the League", said the representative of Belgium, "including those who profess the most real attachment to the doctrine of collective security, have in practice conferred an optional character on Article 16". "It is not the recognition of facts that constitutes failure", said the representative of Sweden, "but rather failure that necessitates such recognition".

(2) Argument that the system of sanctions has retained its compulsory character and must be maintained.

As regards the non-universal character of the League, it was observed that the Covenant itself provided for non-universality (Articles 11 and 17); that, since the beginning, several great States had remained outside the League; that it was enough that the States forming the League represented the greater power, and that such was the case.

Speakers declared that Article 16 was an essential part of the League system and that its maintenance was necessary for the defence of peace. To weaken this article meant weaken-

ing the League itself and encouraging possible aggressors. At the same time, it rendered the application of sanctions almost impossible, for Governments who would be prepared, if necessary, to make the required effort would no longer be able to say to public opinion : " We are obliged to apply the Covenant ". They could no longer speak to the aggressor in the same terms, and their action would be considered by the aggressor as an act of voluntary hostility. In such conditions, the application of sanctions would become an object of barter.

In reply to the argument that Article 16 had not been applied when it should have been, it was maintained that the fact that there had been failures should not be a reason for making a system of those failures.

It was argued that the system of formal and unconditional obligations established by Article 16 could only be modified by an amendment of the Covenant, and that unilateral declarations could not affect the rights and obligations of States under Article 16.

Several delegates, however, who were either favourable in principle to the retention of the obligations under Article 16 or reserved their attitude as to the substance of the question, declared that the obligations of the Covenant were of a reciprocal character and that, in their action, they would take into account the declarations of those Governments who denied the compulsory character of Article 16 or the general situation created by those declarations.

(3) The two trends of opinion.

(a) The most explicit and categorical declarations in favour of the non-compulsory character of the system of sanctions came from the group of Northern States : Sweden, Norway, Denmark, Finland, the Netherlands, Belgium and Luxemburg. Hungary, Poland, Ireland and Canada took up a less categorical position.

Estonia, Latvia, Lithuania, Albania, Bulgaria and the Union of South Africa were in agreement with the declaration of the United Kingdom Government.

The French Government, while expressing its attachment to the principle of collective security, supported the United Kingdom declaration.

(b) The most explicit and categorical declarations in favour of the compulsory character of the provisions of Article 16 were made by China, Colombia, Ecuador, Mexico, New Zealand, Spain and the Union of Soviet Socialist Republics.

It would seem that Afghanistan, Iran, Roumania and Turkey, while, in principle, favourable to this thesis, will, in practice, take account of the declarations of States who support the opposing thesis.

* *

On September 30th, 1938, the Assembly adopted the following short resolution :

“ The Assembly decides to communicate the present report, together with its annexes, to all the Members of the League.”

At the same time, the Assembly took note of the report submitted by M. Munters (Latvia) on behalf of the Sixth Committee. This report reads as follows :

“ In dealing with this problem, the Sixth Committee has had before it the statements and observations made during the session of the Committee of Twenty-eight, during the general debate in the present Assembly and during the meetings of the Committee itself. These statements and observations are of the greatest importance, both to the League as a whole and to its individual Members; and it would be beyond the scope of the present report to attempt to make a summary or to give a general description of their contents.

“ No proposal to amend the Covenant was made to the Committee, and the principles of the Covenant remain unaltered. It is clearly the general view that those principles are right and sound. It was emphasised that recourse to war against a Member of the League, whether immediately affecting any other Member of the League or not, is a matter of concern to the whole League and could not be considered as one in regard to which the Members are entitled to adopt an attitude of indifference, and that, should such a situation arise, there would be consultation between them.

"The declarations and observations referred to above have set forth the views held by the Governments in whose name they were made as to the application of the principles of the Covenant, and have in many cases taken the form of statements defining the attitude adopted by those Governments in regard to the obligations which, in their view, membership of the League carries with it in existing circumstances, and in the light of the experience gained and of the practice followed in respect of the application of Article 16.

"There is general agreement that the military measures contemplated in Article 16 are not compulsory. As regards the economic and financial measures, many Members of the League have stated that they could not in present conditions consider themselves bound automatically to apply such measures in any conflict. Some other Members expressed the contrary view.

"In these circumstances, the Committee has decided to annex to the present report all the declarations and observations on the subject which have been made before the Assembly and the Committee, without expressing any opinion on their contents or on a *de facto* situation which, according to certain delegations, is thus created. The Committee decided to propose that the Assembly should communicate the present report, with its annexes, to all the Members of the League for their information."

This report, which reflects the views expressed in the course of the discussion, shows, in a general form, the points of agreement and shows also that there is disagreement as to the real substance of the question.

There was agreement that the text of the Covenant should be left untouched; recognition that the principles of the Covenant are "right and sound" and that recourse to war against a Member of the League is a matter of concern to the League as a whole, and that, should such a situation arise, there would be consultation between the Members.

The disagreement related to the economic and financial measures provided for in paragraph 1 of Article 16. The report says: "Many Members of the League have stated that they could not, in present conditions, consider themselves bound automatically to apply such measures in any conflict. Some other Members expressed the contrary view."

The representative of the United Kingdom had asked that the Sixth Committee should take note of the *de facto* situation created by the declarations of Governments.

The draft report submitted by M. Munters (Latvia) contained a sentence to the effect that "the Committee noted the situation of fact created by these declarations and observations". Objections were, however, raised to this phrase, and the report in its final form said : "The Committee has decided to annex to the present report all the declarations and observations . . . *without expressing any opinion* on their contents or on the *de facto* situation which, according to certain delegations, is thus created . . . ". Thus, on the question whether the declarations of the different Governments have created a new situation of fact, the report comes to no conclusion. It merely notes that opinions on this point differ.

D. *The Unanimity Rule in its Application
to Article 11, Paragraph 1.*

The Sixth Committee examined a proposal by the United Kingdom concerning the exclusion of the votes of the parties to a conflict in certain cases of the application of paragraph 1 of Article 11. This paragraph relates to the case of war or a threat of war.

After a comprehensive discussion, the Sixth Committee adopted by a majority vote (twenty-five votes to two, with seven abstentions) the draft resolution reproducing, with some slight modifications, the United Kingdom proposal.

The draft resolution read :

"The Assembly,

"Having regard to the opinions expressed by certain delegations on the unanimity rule laid down in Article 5, paragraph 1, of the Covenant as applied to paragraph 1 of Article 11 ;

"Without prejudging any question of principle as to the effect of that rule and without prejudice to the Council's freedom of judgment :

"Expresses the view that, in cases in which a dispute is referred to the Council under paragraph 1 of Article 11, the

Council may, with the consent of all its Members other than the parties to the dispute :

“(1) Express an opinion or adopt a report concerning the facts of the dispute ;

“(2) Make recommendations as to the measures to be taken by the Members of the League, other than the parties to the dispute, to safeguard peace.”

The grounds for this proposal are given in a report by M. Undén (Sweden) as follows :

“ The application of Article 11 on such lines would have two advantages : it would confer greater authority on the opinions expressed by the Council ; and it would render it easier to take precautionary measures, by making it impossible for the opposition of the parties to prevent the passing of the resolution recommending such measures. It was, however, pointed out during the discussion that the practice already followed by the Council yields results approaching those aimed at by the United Kingdom proposal.”

The report makes clear certain points. In regard to the second hypothesis, that concerning precautionary measures, it says : “ It must be clearly realised that such precautionary measures as might be recommended by a Council resolution adopted without the consent of the parties to the dispute would be measures to be taken, not by the parties, but by others, and obviously would not have to be carried out in the territory of the parties”. Replying to certain objections which were raised in the course of the discussion, the report goes on to say : “ In no case could this proposal have the effect of imposing on any Member of the League a decision taken by other Members. The settlement of a dispute under Article 11 will still invariably be a settlement by conciliation, which necessarily presupposes the agreement of the parties.”

In the Sixth Committee, several delegates expressed criticisms or reservations on the subject of the United Kingdom proposal. It was argued that the unanimity rule, a fundamental principle of the Covenant and a guarantee of the sovereignty of States, must not be weakened ; that it was not

advisable to develop Article 11 at a time when there had been a backward movement in regard to Article 16, and thus to change the equilibrium of the Covenant; that the question of the exclusion or the inclusion of the votes of the parties in calculating unanimity arose in regard to Article 11 in the same way as in the other articles of the Covenant; that it was not for the Assembly to determine the conditions in which the Council should exercise the exclusive competence conferred upon it by paragraph 1 of Article 11; and that the object sought in the United Kingdom proposal could only be attained by means of an amendment to the Covenant. It was also observed that the Council had already, by setting up Committees which did not include the parties to a dispute, surmounted the difficulty caused by the presence and the vote of those parties. Some delegations wished it to be understood that Article 11 must not be used as a substitute for the special procedure provided by other articles of the Covenant, having in mind especially Article 19. The principal replies to these criticisms were given by the delegates of the United Kingdom and France.

The draft report and resolution concerning Article 11 were adopted in the Sixth Committee by twenty-five votes against two, with seven abstentions.

At the Assembly, the draft resolution received twenty-nine votes — namely, those of the Union of South Africa, Australia, Belgium, the United Kingdom of Great Britain and Northern Ireland, Bulgaria, China, Denmark, the Dominican Republic, Egypt, Estonia, France, Greece, Haiti, India, Iran, Iraq, Ireland, Latvia, Lithuania, Mexico, the Netherlands, New Zealand, Norway, Panama, Peru, Portugal, Siam, Spain and Sweden.

Two votes were given against the draft — namely, those of Hungary and Poland. The delegations of the following eleven Members declared their intention of abstaining from voting : Afghanistan, the Argentine Republic, Canada, Colombia, Cuba, Ecuador, Roumania, Switzerland, the Union of Soviet Socialist Republics, Uruguay and Yugoslavia.

The draft resolution, having failed to secure unanimity, was not adopted by the Assembly.

II. — THE NEUTRALITY OF SWITZERLAND

By communications dated April 20th and 29th, 1938, the Swiss Federal Council referred to the Council of the League the question of the neutrality of Switzerland within the framework of the League.

In a memorandum attached to the second communication, the Federal Council expressed the view that the distinction between military and economic sanctions, drawn in the declaration made by the Council in London on February 13th, 1920, no longer corresponded to the present situation as far as Switzerland was concerned. According to that distinction, Switzerland, while retaining her neutrality in military matters, had, on the other hand, to assume the obligations devolving upon other States Members in regard to economic and financial sanctions.

At a meeting of the Council on May 11th, the representative of Switzerland, M. Motta, stated that the Federal Council, supported by the morally unanimous will of Parliament and the immense majority of Swiss public opinion, addressed itself in confidence to the Council with a view to obtaining recognition that the traditional neutrality of the Confederation was compatible with the stipulations of the Covenant.

Switzerland had wished to act loyally towards the League without taking any unilateral action. The Treaties of 1815 had recognised in the interests of Europe the unique and perpetual nature of Swiss neutrality and the Treaty of Versailles, Article 435, had regarded that neutrality as an international engagement for the maintenance of peace. On February 13th, 1920, in London, the Council had exempted Switzerland from all participation in military sanctions. The Confederation thought at that time that Switzerland might agree to the idea of taking part, if necessary, in commercial and financial measures against a country that was violating the Covenant. But circumstances had profoundly changed : in particular, the League had seen the withdrawal of two of the three countries which were neighbours of Switzerland. Several stipulations of the Covenant had remained unapplied. The work of disarmament had failed, and the distinction

between military and economic sanctions had become more and more problematical. Switzerland was compelled to go back to her age-old position of integral neutrality. He would therefore ask the Council to take note of the statements and intentions contained in the Swiss memorandum. Switzerland's attitude would leave the positions of the other countries entirely intact. Switzerland wished to remain in the League, whose ideal of international collaboration was her own, and she would continue to contribute to all questions which did not affect her neutrality. The Swiss people, who had borne, and would bear, heavy military sacrifices in order to defend their country, constituted, above all distinctions of creeds, races, tongues or parties, a united *bloc* whose duty was to maintain equilibrium and peace. As the representative of the Swiss people, he therefore appealed to the Council in full confidence.

The Council appointed M. Sandler, representative of Sweden, Rapporteur; on May 14th, M. Sandler submitted a report and a draft resolution.

In his report, the representative of Sweden first pointed out that what the League had recognised as Switzerland's special position was defined by the resolution of February 13th, 1920, which had not given rise to any discussion in the Assembly. As regards the respective competence of the Council and the Assembly, the question was not one which, under the Covenant, fell within the exclusive competence of either the Council or the Assembly. Both organs of the League were accordingly competent in the matter. The Swiss memorandum contained observations of a general character on which there was no occasion for the Council to pronounce. The consideration which made it possible to settle the case of Switzerland was her traditional standing as a neutral Power, which had been recognised by the Treaties of 1815 and confirmed by the Treaty of Versailles and the resolution of 1920. The Swiss Government asked the Council to recognise that Switzerland was unable to take part, not only in military measures, but in any form of sanctions whatever, irrespective of whether such measures were taken in application of Article 16 or of any other article of the

Covenant. Having regard to the very special position of Switzerland and being informed of her intention to continue to co-operate in every other respect with the League of Nations, the Council was disposed to comply with her request. The Swiss Government would therefore not take part in the decisions concerning the putting into operation of sanctions by the organs of the League. The Council took note of the assurance given by the Federal Council in London in 1920 that Switzerland was prepared for any sacrifices to defend her territory in all circumstances. It noted the strengthening of her defence, referred to in the memorandum of April 29th, 1938. Subject to her non-participation in sanctions, the position of Switzerland as a Member of the League and as the State on whose territory the headquarters of the League is situated remained unchanged. She would continue to accord to the organs of the League all the freedom required for the exercise of their activities.

The Rapporteur went on to say that the representative of Switzerland had made clear that he had no intention of dealing with anything except the case of his own country, leaving unaffected the position of the other Members of the League as regards the scope they might attribute to Article 16. It was obvious that the Swiss Government's request and any resultant action that might be taken could in no way affect the positions thus assumed nor prejudice any decisions that might be reached within the League. M. Sandler lastly submitted the following draft resolution :

“ The Council of the League of Nations, in presence of the Swiss Government's memorandum dated April 29th, 1938 ;

“ Having considered the requests put forward in the memorandum of the Swiss Federal Council, and explained by the representative of Switzerland at the meeting of May 11th, 1938 ;

“ Having regard to the special position of Switzerland resulting from her perpetual neutrality which is based on age-long tradition and recognised by the Law of Nations ;

“ Recalling that, by its declaration made in London on February 13th, 1920, the Council recognised that the perpetual neutrality of Switzerland is justified by the interests of general peace, and as such is compatible with the Covenant ;

“ Approves the report of the representative of Sweden ;

“ And in these circumstances takes note that Switzerland, invoking her perpetual neutrality, has expressed the intention not to participate any longer in any manner in the putting into operation of the provisions of the Covenant relating to sanctions and declares that she will not be invited to do so.

“ And places on record that the Swiss Government declares its determination to maintain unaltered in all other respects her position as a Member of the League, and to continue to give the facilities which have been accorded to the League for the free exercise by its institutions of their activities in Swiss territory.”

M. Motta said that he unreservedly accepted the resolution submitted by the Rapporteur, and expressed his gratitude to the Council. Switzerland would regard this resolution as a further element binding her to the League of Nations. He spoke of the unshakable determination of his country to defend her soil and the air above it by every means in her power, in the general interests of all States, and more particularly in those of her neighbours.

M. Bonnet (France) said that it was in consideration of the special nature of Switzerland's position that the report concluded that the Federal Council's request should be met. A State could not of its own initiative withdraw from obligations imposed on it by membership of the League. In bringing such a matter before the Council, the State recognised that body's authority. He added that the Council's decision could not in any way affect the attitude adopted by other Members of the League with regard to the application of Article 16.

Lord Halifax (United Kingdom) referred to the unique situation of Switzerland and to the value of Swiss neutrality to Europe. He noted with satisfaction the assurance that Switzerland would continue to accord to the organs of the League all the freedom required for the exercise of their activities.

M. Comnène (Roumania) referred to the passage of the Swiss memorandum concerning the non-realisation of the collective guarantee of security, which formed the counterpart

of the international obligations entered into when the League was founded. He did not, however, press this point, because the Council had to consider the exceptional character of Swiss neutrality. This neutrality had been recognised by Article 435 of the Treaty of Versailles — *i.e.*, by the very instrument by which the League was called into being. There could therefore be no objection to the resumption by Switzerland of complete neutrality.

He remarked that M. Sandler's report ruled out any possibility of the unique case of Switzerland being taken as a precedent by other States, and that recognition of complete neutrality was inconceivable in the case of any other Member, and would indeed be outside the competence of both the Council and the Assembly.

M. Litvinoff (Union of Soviet Socialist Republics), referring to the doubts he had expressed regarding the Council's competence, said that he had had in mind not so much its legal as its political competence. Between the resolution of 1920 and that which the Council was now going to adopt, there was, in his opinion, a difference not of quantity but of quality, since, unlike economic sanctions, military sanctions were not obligatory. In view of the gravity of the question, which affected the rights and duties of all League Members, it ought to have been referred to the Assembly.

As regards the substance of the question, it seemed to him that participation in economic and financial sanctions could not be considered as a violation of neutrality. Such, at any rate, had been the view taken in 1920. Since then, nothing had occurred to justify a change. The League of Nations was not nearer universality in 1920 than at present.

Switzerland's release from her obligations in regard to sanctions should, in M. Litvinoff's opinion, be counterbalanced by the release of the other Members of the League from their obligations in respect of Switzerland. The reciprocity of obligations was a consequence of the equality of the Members of the League of Nations. Nevertheless, the representative of the Union of Soviet Socialist Republics would have been prepared to make an exception in favour of Switzerland had

he not feared that this exception would open a breach through which similar demands on the part of other States might pass. The latter, in virtue of the precedent established to-day, might make a unilateral declaration, and merely ask the Council to take note of it.

M. Litvinoff added that, recognising the necessity of the League as an instrument for the preservation of peace, he refused to share responsibility for decisions dangerous to the League. For this reason, in obedience to his conscience and to his Government's instructions, he would refrain from voting.

The representatives of Poland, New Zealand, Bolivia, Belgium and Iran spoke in favour of the draft resolution. The representative of China, however, stated that, although he approved Switzerland's request, his fears as to the effects which such a decision might have on the future of the League obliged him to refrain from voting.

In reply to a question put by the representative of New Zealand, M. Motta gave an assurance that the representatives of the foreign Press would always have freedom to transmit to foreign newspapers any communications and comments on the questions dealt with by the League.

M. Sandler (Sweden) stated that the question of the reciprocity of the obligations of the Covenant went to the very roots of the League and he had given most careful consideration to the question.

The resolution was then adopted, the representatives of the Union of Soviet Socialist Republics and China abstaining.

III. — AMENDMENT TO THE RULES OF PROCEDURE OF THE ASSEMBLY

It was laid down in Article 1, paragraph 1, of the Rules of Procedure of the Assembly that the session of the Assembly should open within the first ten days of September. On several occasions; however — namely, in 1932, 1933, 1936 and

1937 — and at relatively short notice, the opening of the session has been postponed.

In view of this fact, the Assembly decided to amend the relevant paragraph of its Rules of Procedure. Henceforward, therefore, the Assembly is to meet in general session every year on the Monday falling in the period September 10th to 16th inclusive.

IV. — CONSTITUTION, PROCEDURE AND PRACTICE OF COMMITTEES

The Council adopted the new Statute of the Communications and Transit Organisation and decided on the method of election of the States who will be called upon, in agreement with the Council, to nominate the members of the Communications and Transit Committee.

V. — THE LEGAL STATUS OF WOMEN

In conformity with a resolution adopted by the Assembly on September 30th, 1937,¹ the Council, at its January session, set up a Committee of Experts to make a general study of the "Legal Status of Women".

This Committee held its first session from April 4th to 12th, 1938, when it prepared its plan of work. The questions to be studied fall under three headings: public law, private law and criminal law. The study of each of these groups of questions has been entrusted to the competent international institute — namely, the International Institute for the Unification of Private Law at Rome, the International Institute of Public Law, and the International Bureau for the Unification of Criminal Law.

The Committee has also been in touch with the international women's organisations. The enquiries are limited for the moment to those countries in the different parts of the world whose legislation may be described as being of the Western type.

¹ See *The League from Year to Year (1937)*, pages 45-47.

VI. — REGISTRATION OF TREATIES

During the period from January 1st to December 31st, 1938, 257 treaties and international engagements were presented for registration by Members of the League or communicated by other States. As is usually the case, the treaties registered covered a great variety of subjects : arbitration, conciliation and the peaceful settlement of disputes ; alcoholic liquor and narcotic drugs ; trade, navigation and Customs ; consular Conventions and those concerning conditions of residence ; private law ; economic and financial matters and questions of taxation ; delimitation of frontiers and frontier traffic ; tonnage ; judicial questions and questions of extradition ; air navigation ; fisheries ; treaties of peace and friendship, etc. ; post, telephone, telegraph and wireless ; social, labour and refugee questions ; questions relating to the application of the Peace Treaties ; health ; transit ; waterways and inland navigation ; general relations and intellectual relations.

The Secretariat has registered many accessions, ratifications, denunciations, etc., in respect of Conventions previously registered at the request of Members of the League. It has also registered further information regarding general Conventions which it had already published.

CHAPTER II

PERMANENT COURT OF INTERNATIONAL JUSTICE

I. Statute of the Court. — II. Jurisdiction of the Court. — III. Composition of the Court. — IV. Work of the Court.

I. — STATUTE OF THE COURT

On December 31st, 1938, forty-nine States¹ had signed and ratified the Protocol of Signature of December 16th, 1920, to which is appended the Court's Statute (amended by the Protocol of Revision of September 14th, 1929). Eight States² had signed the Protocol of 1920, but had not yet ratified it. This Protocol remains open for signature as of right by seven other States.³

II. — JURISDICTION OF THE COURT

A. — *Optional Clause.*

States which have adhered to the "Optional Clause" provided for in Article 36 of the Court's Statute have accepted the jurisdiction of the Court in all or in certain categories of legal disputes.

On December 31st, 1938, thirty-eight States⁴ were bound by this "Optional Clause". One of these

¹ Union of South Africa, Albania, Australia, Belgium, Bolivia, Brazil, United Kingdom, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Estonia, Ethiopia, Finland, France, Germany, Greece, Haiti, Hungary, India, Iran, Ireland, Italy, Japan, Latvia, Lithuania, Luxemburg, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Uruguay, Venezuela, Yugoslavia.

² United States of America, Argentina, Costa Rica, Guatemala, Iraq, Liberia, Nicaragua, Turkey.

³ Afghanistan, Ecuador, Egypt, Honduras, Mexico, Sa'udi Arabia, Union of Soviet Socialist Republics.

⁴ Union of South Africa, Albania, Australia, Belgium, Bolivia, Brazil,

States¹ has accepted it under the Council's resolution of May 17th, 1922.

B. — *General Act.*

On December 31st, 1938, the General Act of Conciliation, Judicial Settlement and Arbitration, adopted on September 26th, 1928, by the Assembly of the League of Nations, had been adhered to by twenty-three States.² All these States have adhered to the whole of the Act, except two,³ which have adhered only to the provisions relating to conciliation and judicial settlement, together with the general provisions dealing with these procedures.

C. — *Various Treaties or Conventions.*

A number of treaties or Conventions of various kinds, concluded in 1938, contain provisions conferring jurisdiction on the Court. On December 31st, 1938, the total number of international agreements governing the Court's jurisdiction which had come to the knowledge of the Registry was about five hundred and forty.

III. — COMPOSITION OF THE COURT

On September 26th, 1938, the Assembly and the Council of the League of Nations elected M. Rafael Waldemar Erich (Finland) to fill the vacancy caused by the death of M. Å. Hammarskjöld (Sweden).

United Kingdom, Bulgaria, Canada, Colombia, Denmark, Dominican Republic, Estonia, Finland, France, Greece, Haiti, Hungary, India, Iran, Ireland, Latvia, Lithuania, Luxemburg, Monaco, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Portugal, Roumania, Salvador, Siam, Sweden, Switzerland, Uruguay. It should be noted that, in 1938, Paraguay withdrew her adherence; as, however, this adherence was given in 1933 unconditionally and without mention of any specific period, the decision thus taken by Paraguay has led certain States to make reservations.

¹ Monaco.

² Australia, Belgium, United Kingdom, Canada, Denmark, Estonia, Ethiopia, Finland, France, Greece, India, Ireland, Italy, Latvia, Luxemburg, Netherlands, New Zealand, Norway, Peru, Spain, Sweden, Switzerland, Turkey.

³ Netherlands, Sweden.

IV. — WORK OF THE COURT

A. — *Cases pending before the Court.*

(1) *The Panevezys-Saldutiskis Railway (Estonia-Lithuania).*

On November 2nd, 1937, the Estonian Government filed an application instituting proceedings against the Lithuanian Government in regard to the Panevezys-Saldutiskis Railway. This application founds the jurisdiction of the Court on the declarations of Estonia and Lithuania acceding to the Optional Clause of Article 36, paragraph 2, of the Court's Statute.

It will be remembered¹ that the Estonian Government explained in its application that the State of Lithuania, shortly after the proclamation of her independence, had seized the Panevezys-Saldutiskis Railway and had operated it ever since. A formerly Russian joint-stock company, transformed under the Treaty of Peace of February 20th, 1920 between Estonia and Russia, and by Estonian legislation, into an Estonian joint-stock company, was, it was alleged, the concessionnaire of this line. The Estonian Government asked the Court for judgment to the effect that the Lithuanian Government had wrongfully refused to recognise the rights of the company and that that Government was under an obligation to make good the prejudice sustained.

Within the time-limit fixed for the filing of the counter-memorial, the Lithuanian Government lodged preliminary objections. After hearing the parties (June 1938), the Court, on June 30th, 1938, made an order joining the objections to the merits. The order stated that, at that stage of the proceedings, no decision could be taken either as to the preliminary character of the objections or on the question whether they were well founded ; any such decision would raise questions of fact and law in regard to which the parties were in several respects in disagreement, and which were too closely linked to the merits for the Court to adjudicate upon

¹ See *The League from Year to Year (1937)*, page 28.

them at that stage. In view of this disagreement, the Court needed exact information as to the legal contentions and arguments of the parties.

The same order fixed the time-limits for the written proceedings on the merits, and in accordance with these time-limits the case became ready for hearing on November 25th, 1938. The oral proceedings will begin in January 1939.

(2) *The Electricity Company of Sofia and Bulgaria (Belgium-Bulgaria).*

On January 26th, 1938, the Belgian Government filed an application instituting proceedings against the Bulgarian Government.

The application founds the Court's jurisdiction on the declarations of Belgium and Bulgaria adhering to the Optional Clause of Article 36 of the Court's Statute and also on the Treaty of Conciliation, Arbitration and Judicial Settlement concluded between the two countries on June 23rd, 1931. The Court is asked to declare that the Bulgarian Government has failed in its international obligations by reason of the fact that certain Bulgarian authorities (administrative, judicial and legislative) have taken measures injuriously affecting the rights of the Electricity Company of Sofia and Bulgaria, which holds a concession from the municipality of Sofia for the electric lighting of that city and which is a company registered under Belgian law. The Court is also asked to order that the necessary reparation be made for the measures complained of.

On July 4th, 1938, the Belgian Government filed a request for the indication of interim measures of protection in this case. This request was made in view of a decree-law regulating relations between consumers and the company, issued by the Bulgarian Government on April 13th, 1938, and of a claim presented to the company by the municipality of Sofia for the payment of certain sums under this decree; and the Court was asked to indicate that the payment should be postponed pending the delivery of judgment on the merits of the case.

On July 13th, 1938, the Court held a public sitting in regard to the request for the indication of interim measures of

protection. After recording the absence of the agent for the Bulgarian Government, who had been duly notified of the date of the hearing but had stated that it would be impossible for him to attend owing to the short notice given, the Court heard a statement by the agent for the Belgian Government to the effect that his Government would raise no objection to the grant of the necessary time to the Bulgarian Government. The Court, after deliberation, thereupon decided to adjourn the proceedings in regard to the indication of interim measures of protection, in order to enable the Bulgarian Government to prepare its observations in regard to that request and also, if need be, in regard to the jurisdiction of the Court. The agents of the parties were to be heard at a date subsequently to be fixed. The Court also expressed its confidence that, in the meantime, the Bulgarian Government would conform to the general principles governing legal proceedings and abstain from any measure which might prejudice the position of the parties to the case, either in fact or in law.

On August 26th, 1938, the agent for the Belgian Government, having noted certain declarations made by the agent for the Bulgarian Government in a telegram addressed to the President of the Court, informed the Court that the Belgian Government withdrew its request for the indication of interim measures of protection.

By an order made on August 27th, 1938, the President placed on record the withdrawal of this request by the Belgian Government and stated that, in these circumstances, there was no occasion to hear the parties as contemplated by the Court's decision of July 13th.

On the date fixed for the filing of the counter-memorial, the Bulgarian Government filed with the Registry a document in which it prays the Court to declare that it has no jurisdiction to adjudicate upon the Belgian application. By an order made by the Court on November 30th, 1938, the time-limit for the filing by the Belgian Government of its observations and submissions in regard to the Bulgarian Government's objections has been fixed to expire on January 25th, 1939.

(3) *The Société commerciale de Belgique (Belgium-Greece).*

On May 5th, 1938, the Belgian Government submitted to the Court an application instituting proceedings against the Greek Government.

The Belgian Government's application founds the jurisdiction of the Court on the terms of the Convention of Conciliation, Arbitration and Judicial Settlement of June 25th, 1929, between Belgium and Greece. It explains that, in 1925, the Greek Government concluded with a Belgian company — the Société commerciale de Belgique — a Convention regarding the surveying, carrying-out and financing of railway construction works in Greece; that, differences having arisen between them, the parties agreed to settle these differences finally by arbitration; and that a final arbitral award was made on July 25th, 1936. It alleges, however, that the Greek Government subsequently refused to comply with this award; and the Belgian Government asks the Court, first, to declare that the Greek Government has violated its international obligations, and, secondly, to assess the amount of the compensation due in respect of this violation.

The written proceedings in this case were terminated on December 20th, 1938.

B. — *Cases disposed of in the Course of the Year.*

(1) *The Borchgrave Case (Belgium-Spain)*¹ (Order of April 30th, 1938).

On November 6th, 1937, the Court delivered a judgment overruling the preliminary objection lodged in the Borchgrave case by the Spanish Government. On the same date, the time-limits for the further written proceedings on the merits were fixed, that for the filing of the Spanish counter-memorial expiring on December 21st, 1937.

At the request of the agents for the Belgian and Spanish Governments this time-limit was extended until January 4th,

¹ See *The League from Year to Year (1937)*, pages 27 and 35.

1938. On that date the two Governments notified the Court that they had agreed to discontinue the proceedings instituted before it. In these circumstances, the President of the Court made an order the same day suspending the written proceedings in the case until such time as the Court could place on record the discontinuance of the proceedings and order the removal of the case from the list.

The order to this effect was made by the Court on April 30th, 1938.

(2) *Phosphates in Morocco (Italy-France)*¹ (Judgment of June 14th, 1938).

On June 14th, 1938, the Court delivered judgment in the case concerning phosphates in Morocco, which was brought before it by application from the Italian Government against the French Government and in regard to which the latter Government had filed preliminary objections.

Adjudicating upon these objections, the Court decided that the application of the Italian Government could not be entertained.

The Court's judgment was adopted by eleven votes to one, — namely, that of Jonkheer van Eysinga, Judge, who appended a separate opinion to the judgment. Another judge, M. Cheng Tien-Hsi, while in agreement with the operative clause of the judgment, appended a separate opinion thereto.

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The application of the Italian Government instituting proceedings, which was filed with the Registry of the Court on March 30th, 1936, was founded on the declarations of Italy and France acceding to the Optional Clause of Article 36 of the Court's Statute (compulsory jurisdiction).

The facts with regard to which the dispute arose, as set out in the documents submitted by the parties in the course of the proceedings, and more particularly in the Application, may be summarised as follows :

¹ See *The League from Year to Year (1937)*, pages 26-27.

The General Act signed at Algeciras on April 7th, 1906, provides (Article 112) that the conditions for the granting of concessions and for the working of mines and quarries in Morocco will be determined by Shereefian firman. According to the provisions of the General Act and of the Franco-German Convention of November 4th, 1911, concerning Morocco, to which the Italian Government acceded, the regulations thus made were to respect the general principle of economic liberty ("the open door"). The regulations came into force on January 19th, 1914, the date on which were promulgated two mining dahirs, of which one laid down the mining regime and the other established an Arbitration Commission to adjudicate upon rights arising out of acts dating from before the new regulations. From November 3rd, 1914, to June 9th, 1918, the right to apply for mining prospecting licences was suspended. In 1918 and 1919, new dahirs and decrees laid down the conditions governing the deposit of applications for mining prospecting licences and prospecting operations, etc., with especial reference to phosphate deposits.

On January 27th, 1920, a dahir was promulgated reserving to the Maghzen the right to prospect for and to work phosphates. This dahir took account of vested rights, and a special procedure was laid down for obtaining recognition of such rights. Another dahir, dated August 7th, 1920, established a State monopoly (*régie*), known as the Shereefian Phosphates Office, which was responsible for prospecting and for working phosphates in Morocco. This Office carried on the prospecting work which had been undertaken by the Moroccan Mines Department since 1917, commenced the working of deposits and, between 1933 and 1934, participated in the formation of the North African Phosphates Cartel.

Between October 1918 and April 1919, thirty-three prospecting licences in reserved areas had been issued by the Mines Department of Morocco to French citizens. The rights of the latter (or certain of their rights) were ceded to an Italian citizen, M. Tassara. The latter, in October 1921 — *i.e.*, after the promulgation of the dahirs reserving to the Maghzen the right to prospect for and to work phosphates — applied to the Moroccan Mines Department for recognition of

his rights. On January 8th, 1925, his application was rejected. Subsequent representations were made by him or by his successors to the Shereefian and French authorities. The Italian Embassy in Paris lent its offices. Later, the Italian Government took up the case on behalf of its nationals and proposed to the French Government that the question should be referred to arbitrators or to the Permanent Court of International Justice.

On March 10th, 1934, the French Government gave a negative answer. After making further representations which proved fruitless, the Italian Government decided to bring the case before the Court by application.

The application of the Italian Government was filed with the Registry on March 30th, 1936. It asks the Court to declare that certain measures taken by the Shereefian and French authorities in connection with prospecting for and working phosphates in Morocco are inconsistent with the international obligations of Morocco and of France and should, for that reason, be annulled; alternatively, that the decision of the Mines Department of January 8th, 1925, is inconsistent with the international obligation incumbent on Morocco and on France to respect the rights acquired by Italian nationals.

The French Government presented preliminary objections, submitting that the Italian application could not be entertained. The Court's judgment was delivered upon these objections.

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In its judgment, the Court first of all observes that the facts and circumstances out of which the dispute originated are set out in the Italian application. Without expressing any opinion upon the divergencies of view to which they gave rise, the Court, for the purposes of its judgment, which is limited to the question of its jurisdiction, confines itself to considering those the existence and date of which are not disputed.

Among the French objections is one which contests, in regard to the application as a whole, the compulsory

jurisdiction of the Court as established between France and Italy by their declarations acceding to the Optional Clause. The Court, therefore, must first adjudicate upon this objection, in order to satisfy itself as to the grounds of its jurisdiction.

In its declaration, of which the ratification was deposited on April 25th, 1931, the French Government accepts as compulsory the jurisdiction of the Court “. . . in any disputes which may arise after the ratification of the present declaration with regard to situations or facts subsequent to such ratification”. The French Government, relying on this passage, maintains that, as the situations and facts out of which the present dispute arises date from before the crucial date — namely, the date of its acceptance of the compulsory jurisdiction — the Italian Government's application cannot be entertained. The Italian Government, on the other hand, argues that the dispute arises from factors subsequent to the crucial date; first, because certain acts, which, considered separately, are in themselves unlawful international acts, were actually accomplished after the crucial date; secondly, because these acts, taken in conjunction with earlier acts to which they are closely linked, constitute as a whole a single, continuing and progressive illegal act which was not fully accomplished until after the crucial date; and, lastly, because certain acts, though carried out prior to the crucial date, nevertheless gave rise to a permanent situation, inconsistent with international law, which has continued to exist after the said date.

Interpreting the limitation contained in the French declaration, the Court observes that this limitation is two-fold. It relates, in the first place, to the date on which the dispute arose. It is not denied that, in this case, the dispute arose after the crucial date; there is therefore no need to consider that point. The second limitation relates to the situations and facts with regard to which the dispute arose. The declaration is quite clear on this point: the only situations or facts falling under the compulsory jurisdiction are those which are subsequent to the crucial date and with regard to which the dispute arose; that is to say, those which must be considered as being the source of the dispute. The intention

of the French Government in stipulating this limitation is also quite clear; it intended to deprive the acceptance of the compulsory jurisdiction of any retroactive effects, in order both to avoid, in general, a revival of old disputes and to preclude the possibility of the submission to the Court by application of situations or facts dating from a period when the State whose action was impugned was not in a position to foresee the legal proceedings to which these facts and situations might give rise. Accordingly, the situations and facts have to be considered from the point of view both of their date in relation to the date of ratification and of their connection with the birth of the dispute. Situations or facts subsequent to the ratification could serve to found the Court's compulsory jurisdiction only if it was with regard to them that the dispute arose. The question whether a given situation or fact is prior or subsequent to a particular date is one to be decided in regard to each specific case, just as the question of the situations or facts with regard to which the dispute arose must be decided in regard to each specific case. In answering these questions, it is necessary to bear in mind the will of the State which accepted the compulsory jurisdiction only within specified limits, and consequently intended to submit to that jurisdiction only disputes having actually arisen from situations or facts subsequent to its acceptance. It would be impossible to admit the existence of such a relationship between a dispute and subsequent factors, which either presume the existence or are merely the confirmation or development of earlier situations or facts constituting the real causes of the dispute.

The Court then considers whether the dispute forming the subject of the Italian Government's application arose with regard to situations or facts subsequent to the crucial date. The subject of the dispute has been presented by the Italian Government under two separate aspects. The first, a general aspect, is referred to as the "monopolisation of the phosphates". This monopolisation is described as a regime instituted by the dahirs of 1920, which, by reserving to the Maghzen the right to prospect for and to work phosphates, established a monopoly inconsistent with the international

obligations of Morocco and of France ; this regime, being still in force, is said to constitute a situation subsequent to the crucial date, and one which therefore falls within the Court's compulsory jurisdiction. The second aspect of the dispute is more limited : it relates to a decision given in 1925 by the Moroccan Mines Department rejecting the application of M. Tassara, an Italian citizen, and to the alleged denial of justice to him and his successors. These acts are also included under the general designation of the monopolisation of phosphates, but are put forward here as contrary to the international obligation to respect the vested rights of the Italian nationals.

As regards the first of these aspects, the Court holds that the alleged inconsistency of the monopoly regime with the international obligations of Morocco and of France is a reproach which applies first and foremost to the dahirs of 1920 establishing the monopoly. These dahirs are the facts which really gave rise to the dispute regarding the monopolisation ; but, by their date, these dahirs fall outside the Court's jurisdiction. The Italian Government, however, has presented the monopolisation as a continuing and progressive action which has only been completed by certain acts subsequent to the crucial date — the denial of justice suffered by M. Tassara and his successors in 1931-1933, and the participation of the Moroccan Phosphates Administration in the North African Phosphates Cartel in 1933-1934. The Court holds that the participation of the Moroccan Phosphates Administration in the Phosphates Cartel did not alter the situation which had been established ever since 1920 by the monopoly. The monopoly alone could form the subject of complaint in this connection : it may have made the participation in the cartel possible, but this participation does not in any way affect the legality or illegality of the monopoly.

The Court next considers the dispute from the second aspect. The Italian Government does not deny that the alleged dispossession of M. Tassara results from the Mines Department's decision of 1925, which, by reason of its date, falls outside the Court's jurisdiction. But it contends that that decision constituted only an uncompleted violation of

international law, and that this violation became definitive only as a result of the final refusal of any redress — which refusal was subsequent to the crucial date.

The Court, however, holds that acts subsequent to the crucial date cannot be regarded as factors giving rise to the present dispute. The alleged denial of justice merely results in allowing the alleged unlawful act to subsist : it exercises no influence either on the accomplishment of the act or on the responsibility ensuing from it. As regards the argument that the dispossession of M. Tassara and his successors constituted a permanent illegal situation which, although brought about by the decision of the Mines Department, was maintained in existence at a period subsequent to the crucial date, the Court considers that the complaint of a denial of justice cannot be considered separately from the decision of 1925. For the Court could not regard the denial of justice as established, without first satisfying itself as to the existence of the rights of the private citizens alleged to have been refused judicial protection. And this it could not do without calling in question the decision of 1925. It follows that an examination of the justice of this complaint could not be undertaken without extending the Court's jurisdiction to a fact which, by reason of its date, is not subject thereto.

Accordingly, whatever aspect of the question is considered, it is the decision of 1925 which is always found, in this matter of the dispossession of the Italian nationals, to be the fact with regard to which the dispute arose.

In conclusion, the Court finds that the dispute submitted to it, whether regarded in its general aspect — represented by the alleged monopolisation of the Moroccan phosphates — or in its more limited aspect — represented by the claim of the Italian nationals — did not arise with regard to situations or facts subsequent to the ratification of the acceptance by France of the compulsory jurisdiction, and that, in consequence, it has no jurisdiction to adjudicate on this dispute. Accordingly, it does not feel called upon to adjudicate on the other objections submitted by the French Government.

For these reasons, the Court decides that the Italian Government's application cannot be entertained.

CHAPTER III

REDUCTION AND LIMITATION OF ARMAMENTS

I. Publicity of National Defence Expenditure and Supervision of the Manufacture of and Trade in Arms. — II. The Naval Agreements. — III. Protection of Civilian Populations against Bombing from the Air in Case of War.

I. — PUBLICITY OF NATIONAL DEFENCE EXPENDITURE AND SUPERVISION OF THE MANUFACTURE OF AND TRADE IN ARMS

The Bureau of the Conference for the Reduction and Limitation of Armaments decided, in 1937, to communicate to all Governments which were or had been represented at the Conference the text, drawn up by the organs of the Conference, of the draft Convention on publicity of national defence expenditure and the working of an organ of supervision and co-ordination. The Governments were at the same time to be requested to study whether they were prepared, in principle, to accept a system of publicity based on that Convention. In 1937, the Assembly recommended the conclusion of an international convention on publicity of national defence expenditure and the working of an organ of supervision and co-ordination.¹

During 1938, about thirty countries replied on this subject. Some of the replies are entirely negative. The great majority of States are favourable in principle, but many, while expressing their agreement, state that their definite acceptance of the draft Convention would be dependent on its being generally accepted by Governments, or at least by the principal military and naval Powers.

¹ See *The League from Year to Year (1937)*, pages 17 et seq.

The Third Committee of the Assembly recalled that the principle of publicity of national defence expenditure was an essential feature of any system of limitation of armaments. It left the Bureau of the Conference, however, to take any steps in this matter which it might think advisable.

The Bureau of the Conference had also instructed the Secretariat to collect and communicate to the members of the Bureau any useful information obtained on the existing situation in regard to the national control of the manufacture of and trade in arms in the principal countries. The Assembly, in turn, had recommended the Members of the League, each in so far as it was concerned, to examine the possibility of adopting internal measures with a view to the effective supervision of both the manufacture of and the trade in arms, munitions and implements of war, on the basis of the work done by the special Committee of the Disarmament Conference. The Assembly further asked Governments to inform the Secretary-General of the action taken on this recommendation.¹ In May 1938, the Secretariat, in conformity with the recommendation of the Bureau, published a detailed study of the position in regard to the national control of the manufacture of and trade in arms in the fourteen following countries : the United States of America, Belgium, the United Kingdom, Czecho-Slovakia, Denmark, France, Germany, Italy, the Netherlands, Norway, Poland, Sweden, Switzerland and the Union of Soviet Socialist Republics.

In response to the recommendation of the Assembly, replies on the subject were received from about twenty Governments.

The Third Committee of the Assembly was thus able to note that a large number of States exercised effective supervision over the manufacture of and trade in arms and that the organisation of that supervision had been notably affected by the work of the Conference for the Reduction and Limitation of Armaments. The Assembly asked those Governments which had not already done so to give effect to the recommendation before its next session. It also requested the

¹ See *The League from Year to Year (1937)*, page 23.

Members of the League to inform the Secretary-General of any modification in their legislation or their administrative methods relating to this matter.

II. — THE NAVAL AGREEMENTS

The Third Committee heard a statement by the representative of the United Kingdom on the progress recently made in regard to the limitation of naval armaments — the entry into force of the Anglo-German and Anglo-Soviet Naval Agreements; the signature of the Anglo-Polish Naval Agreement; negotiations for bilateral agreements with Denmark, Finland, Norway, Sweden and Turkey; the exchange of notes with Italy regarding that country's accession to the London Naval Treaty of 1936. The Committee noted that the position taken up by the Japanese Government had unfortunately made it impossible to maintain the limit of 35,000 tons for capital ships laid down in the naval agreements, and that the Powers concerned had therefore raised that limit to 45,000 tons. The representative of the United Kingdom stated that his Government had at present no intention of constructing ships of more than 40,000 tons. The representative of France stated that his Government did not intend to build ships of more than 35,000 tons, so long as that limit was not exceeded by any other European Power.

III. — PROTECTION OF CIVILIAN POPULATIONS AGAINST BOMBING FROM THE AIR IN CASE OF WAR

The question of the protection of civilian populations against bombing from the air in case of war was examined by the Third Committee and by the Assembly. The Committee was unanimous in thinking that this question, placed on the agenda at the request of the Spanish delegation, was of concern to all States, whether Members of the League or not. It pointed out that this method of warfare had already been condemned by the Disarmament Conference in 1932 and by the

Council and Assembly in 1937. In a resolution adopted by the Assembly, it was pointed out that, on numerous occasions, public opinion had expressed its horror of the bombing of civilian populations — a practice which was condemned under the recognised principles of international law. The Assembly decided to leave to the Bureau of the Conference the responsibility for a study of regulations adapted to aerial warfare and based on the following principles : (1) the intentional bombing of civilian populations is illegal ; (2) objectives aimed at from the air must be legitimate military objectives and must be identifiable ; (3) any attack on legitimate military objectives must be carried out in such a way that civilian populations in the neighbourhood are not bombed through negligence.

The Assembly reaffirmed that the use of chemical or bacteriological methods in the conduct of war was contrary to international law, as recalled particularly in the resolution of the General Commission of the Conference for the Reduction and Limitation of Armaments on July 23rd, 1932, and the Council resolution of May 14th, 1938.

The Assembly drew attention to the existing situation, especially in Spain and the Far East, as regards the bombing of civilian populations from the air. Pending a comprehensive settlement of the question by general agreement, it congratulated the United Kingdom Government on having taken the initiative of setting up a committee of investigation to examine cases of bombing from the air of civilian populations in Spain. It took note of a report already drawn up by that Committee, and expressed the opinion that the development of this initiative on international lines might do much to render effective the condemnation by public opinion of this method of warfare, and to bring about its discontinuance. It also took note of the Chinese Government's request for the despatch of an international committee to examine cases of bombing from the air of civilian populations in China.

The Assembly recommended the Council to take into consideration any other appeal, arising out of the bombing from the air of civilian populations, directed to establishing, by means of an international committee, cases of recourse to such practices. It was understood that the reports of the

committees set up by the United Kingdom Government to make investigations regarding air-bombing in Spain should be sent to the Secretary-General, published and distributed to the Members of the League and to the Council.

There was no meeting of the Bureau of the Conference for the Reduction and Limitation of Armaments during 1938. The Council decided that the meeting of the Bureau which it had been proposed to hold during the session of the Assembly should be postponed to a more propitious date.

CHAPTER IV

POLITICAL QUESTIONS

- I. Situation in Ethiopia and the Anglo-Italian Agreement. — II. Appeal by the Chinese Government. — III. Appeal by the Spanish Government. — IV. The European Situation. — V. Dispute between Bolivia and Paraguay. — VI. Question of Alexandretta. — VII. Protection of Minorities. — VIII. Commission of Enquiry for European Union.

I. — SITUATION IN ETHIOPIA AND THE ANGLO-ITALIAN AGREEMENT

In a communication to the Secretary-General dated April 9th, the United Kingdom Government called attention to the "anomalous situation" arising from the fact that many States Members of the League, including five of the States represented on the Council, had recognised that the Italian Government exercised sovereignty over Ethiopia, or had taken action implying such recognition, whereas other States Members of the League had not done so. The United Kingdom Government, being of opinion that that situation should be clarified, asked that the question of the "consequences arising out of the existing situation in Ethiopia" be placed on the agenda of the Council.

On May 6th, the Emperor Haile Selassie I informed the Secretary-General that he had appointed M. Taezaz, assisted by several technical advisers, to represent Ethiopia at the Council table. On May 10th, M. Taezaz forwarded a documentary statement on the situation in Ethiopia. The information in this document was to the effect that over three-quarters of Ethiopia the Italian authorities exercised no military control beyond a radius of from ten to thirty miles around the larger towns, and that the Ethiopian civil and military administration was maintained in a large part of the country.

At a Council meeting on May 10th, the representative of the United Kingdom, Viscount Halifax, made a statement regarding the agreement with Italy signed by the United Kingdom Government on April 16th. Lord Halifax recalled that, since the Italian action in Ethiopia, there had been a state of tension between Italy and the United Kingdom, the results of which were felt especially in the Mediterranean, where the sense of security of many nations was impaired. It was therefore not only in their own specific interests, which ran parallel through the Mediterranean and the Red Sea to the Indian Ocean, but also to the advantage of many other countries that the two Governments should endeavour to settle their differences and to ensure good understanding between them. The mere fact that the mutual interests of two great countries should be capable of conciliation was significant. It must encourage those who believed that international differences could be resolved on the basis of reason and goodwill. It must also react favourably on the general sense of security, not only in Europe, but throughout the world. The United Kingdom Government therefore considered that the Anglo-Italian Agreement could be regarded as a contribution to general peace.

The reception given to the agreement had been favourable, especially in Europe. The French Government and the members of the Balkan Entente had welcomed it as a contribution to European appeasement. The President of the United States of America had made a statement on the subject to the Press which was peculiarly gratifying to the United Kingdom Government.

The United Kingdom Government had close relations with many other Governments — especially with the French Government — in Europe and elsewhere. It did not regard these relationships as exclusive, and, while strengthening its existing friendships, it sought always to increase their number and extend their scope. The agreement with Italy marked a further step in this direction, as well as towards the maintenance of peace, which was the aim of the Covenant. For the same reason, the United Kingdom Government was following with interest and goodwill the progress made by the French Government in its efforts to reach a similar agreement

with Italy. The greatest purpose of the League of Nations was to promote true peace in the world, and to promote it by agreement, so as to avoid the risk of a solution of differences being sought by war. The Governments of the United Kingdom and Italy, which had been able to compose their differences by agreement, were entitled to claim that they had contributed to the cause of international peace, the maintenance of which was the essential purpose of the League of Nations.

The representatives of France, Roumania, Belgium and Poland expressed their satisfaction at the conclusion of the Anglo-Italian Agreement.

The representative of the Union of Soviet Socialist Republics stated that his Government naturally welcomed any agreement removing international misunderstandings. Nevertheless, in dealing with a bilateral pact, they must take into consideration its effect, not only on the relations between the two parties, but also on the relations between those parties and the rest of the world, as well as on the problems which remained before the League.

On May 12th, when the question of the consequences arising out of the situation in Ethiopia came up for discussion by the Council, the President stated that the Council, at an unofficial meeting of its members, had expressed the desire to assure the participation of the delegates of the Emperor Haile Selassie in the discussions, without prejudice to questions of principle, and irrespective of the precise character of their full powers. Having been informed that the Emperor Haile Selassie had expressed the wish himself to participate in the discussions, the President, in accordance with the Council's desire, invited him to come to the Council table.

The representative of the United Kingdom, Lord Halifax, stated that his Government had desired to take an opportunity for consultation between the Members of the League before it came to a decision as an individual Member on the question of the recognition of Italian sovereignty in Ethiopia.

While no express obligation had been assumed by Members of the League with regard to such a consultation, yet, in view

of the "common action" of the Members of the League in the dispute between Italy and Ethiopia, the recognition of Italy's position was a matter of concern to all the Members. His Majesty's Government did not wish to make any criticism of those Members of the League which had already recognised Italy's sovereignty over Ethiopia. It was open to those States to regard the Assembly resolution of July 4th, 1936, as closing the question in so far as they were concerned, and His Majesty's Government did not think that the various steps which the League had taken in the course of the Italo-Ethiopian dispute could be held to constitute any binding obligation upon Member States to withhold recognition until a unanimous decision had been taken. His Majesty's Government held the view that Members of the League might, without disloyalty, take such action at such time as might seem to them appropriate.

Moreover, the United Kingdom Government did not wish to suggest that the Council or any Member of the League should go back on the League's condemnation of the action by which the Italian Government had acquired its present position in Ethiopia. Nor did it propose that any organ of the League should modify the resolutions which it had adopted during the dispute. On this issue, the United Kingdom Government had declared its judgment in plain terms, and it could not go back upon it. It considered, however, that the question of the recognition of Italy's position in Ethiopia was one which every Member of the League must be held entitled to decide for itself in the light of its own situation and obligations. This would not impose any obligation upon Member States to take steps in the direction of recognition. The action of His Majesty's Government itself would be dependent upon the progress made in the solution of another difficult question, and the acceptance of the opinion held by His Majesty's Government would, in fact, merely confirm the correctness of the attitude taken by a number of States who considered that, with the adoption of the Assembly's resolution of July 4th, 1936, their collective obligations were discharged.

His Majesty's Government had no desire to embark on a discussion of legal points, but attached predominant importance to the political aspect of the problem. Since July 4th, 1936, the *de facto* situation with which Members of the League were confronted had become more definitive and more stable. According to his Government's information, the Italian Government had obtained control of virtually all the former territory of Ethiopia. While resistance was still continuing in certain parts of the country, there was no organised native authority and no central native administration with the slightest prospect of reconquering the country. The only means by which the situation could be modified would be by going to war, which had already been excluded by implication by the resolution of July 4th, 1936.

The United Kingdom representative respected, but could not share, the view of those who felt that any action designed to facilitate recognition would impinge on the principles of the League. Those who sought to establish a better world upon the basis of universal acknowledgment of League principles were clearly right to feel reluctance to countenance action by which these might appear to be infringed. But, whereas here two ideals were in conflict — on the one hand, the ideal of devotion, unflinching but unpractical, to some high purpose; on the other, the ideal of a practical victory for peace — the strong claim was that of peace.

In an imperfect world, the indefinite maintenance of an international principle evolved without regard to the circumstances in which it had to be applied might have the effect merely of increasing international discord. For practical purposes, Italy controlled the whole of Ethiopia, and sooner or later, unless they were prepared to alter the position by force, or unless for ever they were to live in an unreal world, that fact would have to be accepted. If this was so, the question to be settled, and particularly that of the time of recognition, was one of political judgment.

His Majesty's Government did not abandon in any respect the principles of the Covenant or its determination to do its utmost to secure that disputes arising between nations should be resolved by peaceful methods and not by force. But no

cause was served by vain lamentations over the past. Great as was the League of Nations, the ends that it existed to serve were greater than itself, and the greatest of those ends was peace. The world to-day was troubled and disturbed, and it was vital to bend all the energy they possessed to protect the world from a return of the dread scourge of war. His Majesty's Government believed that this great issue of peace might be affected by the treatment of the subject which was at present before the Council. It therefore hoped that the Members of the League would share its opinion that the question of the recognition of Italy's position in Ethiopia was one for each Member of the League to decide for itself in the light of its own situation and its own obligations.

The Emperor Haile Selassie said that, in spite of the state of his health, he had decided to come himself to the Council to defend the cause of his people. At his request, the Council authorised the Emperor to ask M. Tazaz to read a statement.

This statement pointed out that, since 1935, Ethiopia had observed how various signatures affixed to the Covenant had been successively disclaimed. A number of Powers, themselves threatened by aggression and realising their own weakness, had abandoned Ethiopia; they had thus surrendered the very principles on which their existence and independence were based — treaties of non-aggression, the Covenant of the League of Nations, the Pact of Paris. But, as a consequence, aggressions had multiplied and fear dominated the world.

The attitude of the powerful States which had unceasingly proclaimed their fidelity to the Covenant had been disappointing. The real purpose of the United Kingdom Government in raising before the Council the vague question of the "consequences arising out of the existing situation in Ethiopia" had been to ensure the execution of an annex to the Anglo-Italian Agreement of April 16th, in which the British Ambassador at Rome informed the Italian Minister for Foreign Affairs that his Government intended to take steps at the forthcoming meeting of the Council for the purpose of clarifying the situation of Member States with regard to the recognition of Italian sovereignty.

By that agreement, the United Kingdom Government had given, subject to certain conditions, an undertaking to recognise the Italian Government as *de jure* sovereign of Ethiopia. The United Kingdom Government asked the Council to set aside the rule laid down by the Assembly on March 11th, 1932, and confirmed on July 4th, 1936, declaring that it was incumbent upon the Members of the League not to recognise any situation which might be brought about by means contrary to the Covenant of the League of Nations or to the Pact of Paris. Yet non-recognition of a conquest by aggression was the least onerous way of observing Article 10 of the Covenant. The Emperor was not unmindful of the gratitude which he owed to the Governments of the United Kingdom and France, but he was bound to protest against a request under which the Members of the League were recommended to associate themselves with a measure calculated to weaken the Ethiopian people's power of resistance.

Even were it true, which it was not, that the invader had broken the Ethiopian people's resistance, the proposal before the Council should be rejected in order that Ethiopia should remain in the midst of the League as the living symbol of violated right. But, actually, the Italian Government exercised no control over the greater part of Ethiopian territory, or even in Tigre, which was the province nearest to Eritrea.¹ In several provinces there was not, or there was no longer, the slightest Italian control. The Italian Government itself had had to admit that the annual cost of occupation amounted to thousands of millions of lire, despite which it had proved impossible to develop Ethiopian territory. To overcome the Ethiopian people's resistance, the Italian Government was endeavouring to obtain recognition of its conquest, which it would represent to the Ethiopian peoples as a condemnation of Ethiopia by the League of Nations. Meanwhile, the war continued in Ethiopia. International law absolutely prohibited a belligerent from making any

¹ On May 12th, the Emperor Haile Selassie communicated to the Council a number of declarations made by Ethiopian chiefs asking for the assistance of the League of Nations and of the United Kingdom Government.

annexation, and forbade any Power not party to the conflict to recognise the occupying Power as the *de jure* sovereign.

To justify its action, the United Kingdom Government claimed that the promotion of general appeasement was at stake. But was it compatible with the spirit of the Covenant to sacrifice a State Member of the League for the tranquillity of other Powers ?

Furthermore, the question raised by the United Kingdom Government could not be settled by the Council ; only the Assembly was competent. The Emperor therefore asked that the question be referred to the Assembly. It was true that the essential object of the League of Nations, as Lord Halifax had proclaimed, was to maintain peace, but there were two ways of achieving this purpose — through right, or through the principle of peace at any price. The League of Nations had no freedom of choice. Created to maintain peace through right, it could not desert that principle. The Italian aggression had ruined all the efforts made to lead the Ethiopian people along the path of progress and Western civilisation. The Emperor was prepared, now as before, to discuss any proposal for a solution which, even at the cost of sacrifices, would guarantee his people the free development of their civilisation and independence. But he asked the League of Nations to refuse to encourage the Italian aggressor by the sacrifice of his victim.

The representative of France, M. Georges Bonnet, paid a tribute to the impulse of anxiety under which the United Kingdom Government was acting in taking its present initiative. Some Powers, whose fidelity to the League could not be questioned, had felt able to recognise the state of affairs created in Ethiopia. France had taken the view that these individual steps were not sufficient to remove the dangers which the situation in Ethiopia entailed for peace, and that it was advisable again to bring the matter before the League.

In spite of the feelings of regret with which the members of the Council had taken up this discussion, one consideration justified the position which the representative of the United

Kingdom invited the Council to adopt — the conviction that everything possible had been tried. The resolution of July 4th, 1936, showed the motives by which the Members of the League had been inspired during the Italo-Ethiopian conflict and the limits which circumstances placed upon their action. France remained faithful to the ideals of the League, and the representative of France was not forgetting that he had at one time been a co-worker with Léon Bourgeois, one of the founders of the Covenant. His country was still convinced that the observation of the principles of the Covenant remained the best guarantee of peace in the world. The decisions taken by the League during the conflict retained their full value and force. The recognition of the fact that the League was unable in the matter of Ethiopia to assure the full application of the provisions of the Covenant restored to the Members of the League, as from 1936, the freedom to determine whether they had discharged all the obligations arising out of the Covenant. The French Government had not up to the present considered itself authorised to draw the conclusions from this development which other Powers had drawn, but now it considered it proper to obey above all that will for peace which was the very soul of the League. It therefore associated itself with the United Kingdom Government in expressing the desire for the recognition of the fact that circumstances entitled every State from now on to judge for itself as to the decisions to be taken.

M. Litvinoff, representative of the Union of Soviet Socialist Republics, stated that, among the means for combating aggression which the League had at its disposal, non-recognition did not play a conspicuous part. In his view, non-recognition should be accompanied by other more effective methods of combating the aggressor, in conformity with Article 16 of the Covenant. Decisions of non-recognition could, however, be of value from the moral and political point of view, particularly when the victim itself continued to fight for its independence. It was obviously difficult to arrive at a final conclusion on the *de facto* situation in Ethiopia, and they could not ignore the fact that some Members of the

League had already recognised or were preparing to recognise Italian sovereignty. The Union of Soviet Socialist Republics would, in any case, be ready to solve the problem, not from the standpoint of its national interests, but in the spirit of the Covenant, of the principles of collective security and of the indivisibility of peace. But, whatever the decision come to, it must be made clear that the League had not changed its views on those actions which brought about the situation in Ethiopia ; that none of the condemnations of those actions was withdrawn ; and that the League had not changed its opinion on the general principle of non-recognition of the accomplished fact produced by aggression and on the resolutions adopted by the League in other cases, whether they were cases of the direct annexation of territory or of annexation camouflaged by the setting-up of puppet governments allegedly independent, but in reality merely serving as a screen for the foreign invader. The breaches of international obligations by different States were not examples to be followed. The League of Nations and its individual Members had made mistakes and blunders. Those mistakes must be recognised and measures taken to prevent their recurrence ; in any case, they must not be legalised. Of course, the League's decisions could always be corrected at the request of League Members, but they must be corrected by the League collectively. It was not for the Members to take individual and anarchical action. The League Council should not only disapprove of such activities but should also severely condemn those Members who set the example of engaging in them.

The representative of the Union of Soviet Socialist Republics insisted that neglect of the considerations which he had laid before the Council would, in his view, endanger the existence of the League.

The representative of Roumania, M. Petresco-Comnène, stated that his country was alive to the exigencies of the European conscience, the effect of which was to make relaxation of the tension between the European nations the immediate object to be attained. He also was of opinion, therefore, that each State should be left free to judge for itself

what decisions it should take regarding the consequences arising out of the situation in Ethiopia. Such a decision, however, could in no way affect the methods of integral application of the Covenant, since the attitude of the League must be inspired, above all, by the desire to safeguard, first, peace and, secondly, the League itself, so that the latter might be enabled to carry on its mission.

The representative of Poland, M. Komarnicki, stated that the discussion, whatever might be its outcome, could in no way affect the attitude the Polish Government had taken up on a matter for its own sovereign decision. At the same time, the Polish Government considered that an exchange of views between the Members of the Council with regard to the consequences arising out of the situation in Ethiopia might not be without value, especially if it helped to remove any doubts that some Members of the League might still entertain. The Polish Government believed that the League's activities should be animated by a just appreciation of political realities, a condition indispensable to all effective international collaboration. If the League continued to confine itself to rigid procedure, as was the case, for instance, in the " Manchukuo " affair, it was to be feared that its rôle as an organ of international co-operation would inevitably be diminished.

The representative of Sweden, M. Sandler, said that his Government was glad to welcome the initiative taken by the United Kingdom Government. Regarding the attitude of the Swedish Government, he wished to state that the Swedish Minister at Rome, who was appointed in January 1937, had not yet taken up his post. In the meantime, the idea that a common attitude towards the Ethiopian problem might be adopted and observed by the Members of the League had for a considerable time past proved illusory. He thought it right to state that the Swedish Minister to Rome would take up his duties in the near future. From this it was evident that the Swedish Government shared the view that each of the Members of the League was entitled to determine its own attitude in regard to the situation and to draw such conclusions as might seem to it to be justified.

The representative of Belgium, M. van Langenhove, recalled that his Government, following the example of several other Members of the League, had recently regularised its diplomatic relations with Italy. In the absence of any general decision applicable to the case, Belgium was perfectly free to act as she had done. She therefore understood the desire of certain States which were now faced with a similar problem to reach a settlement in their turn.

The representative of Peru, M. García Calderón, reminded the Council that in America a network of legal Conventions bound the different States, who followed a policy of good neighbourliness. Europe, however, called for a different perspective, and it was comprehensible that realities should often be too strong for them. Moreover, the Covenant, in providing for the welcome into the League of any fully self-governing State, acknowledged any sovereignty, on condition that its existence was not refuted by the facts. Peru was therefore of opinion that the question before the Council was one for the individual States and Governments, and for them alone.

The representative of China, M. Wellington Koo, felt that they were dealing with a question of principle of fundamental importance. The principle of non-recognition of territorial changes effected by force was implicit in the Covenant. The Assembly and the Council had repeatedly affirmed this principle, to the safeguarding of which the Chinese Government attached the greatest importance. The fact that a certain number of States Members had acted in contravention of the letter and the spirit of the League's resolutions was no justification for the others to follow their example. The Chinese Government could not subscribe to any decision of the Council in the sense proposed. If, however, it was merely a question of giving an opportunity to each Member of the Council to declare its attitude on the situation, without prejudice to the principles of the Covenant or to the resolutions affirming the principle of non-recognition,

the Chinese Government would content itself with reserving its position regarding the principles involved.

The representative of New Zealand, Mr. Jordan, referred to the Assembly resolution of May 11th, 1932, and to the terms of Article 10 of the Covenant. He declared that his Government stood by that resolution and by the Covenant. While it recognised that the League had on several occasions failed to fulfil its functions, and that the Covenant no longer provided the protection it was meant by its authors to afford, his Government regarded it as necessary that the Covenant should remain in force in its present or a similar form, and deplored any measure which would tend to weaken its provisions or the authority of the League. The League could not divest itself of responsibility by leaving the issue to individual Governments, each to choose for itself. It could not be right to go back on the principles of the Covenant or to condone acts of aggression, and, while such was not the intention, yet that was how the Council's action might be interpreted. If recognition was to be afforded, it should have been in accordance with a resolution of the Assembly, and not by separate decisions of individual Members. The proceedings in which the Council was engaged would necessarily be regarded as a further stage in the surrender to aggression. The New Zealand Government could not support any proposal which would involve, directly or by implication, approval of a breach of the Covenant.

The representative of Ecuador, M. Quevedo, pointed out that there were no specific resolutions of the Assembly or the Council precluding action by Members of the League with a view to the normal maintenance of their diplomatic relations with another State. At that moment and in that particular situation, there was only one path open to the Council, to recognise that, in the matter of the normal maintenance of its relations with the Government at Rome, each State Member of the League should be free to take the measures it considered compatible with its international obligations, in the light of whatever interpretation it might have placed on those obligations. His Government held that this attitude

did not conflict with the collective American declaration of August 3rd, 1932, or with any other of the international engagements of the American States. To those engagements his Government reaffirmed its complete loyalty.

The representative of Bolivia, M. Costa du Rels, mentioned the traditional friendship of his country with the Italian nation. Bolivia appreciated any effort made to consolidate the peace of the world. His Government had had occasion to reiterate its adherence to the principles which it regarded as fundamental for the settlement of disputes when it voted in favour of the Assembly resolution of July 4th, 1936. Those principles, which united all the American nations, were still the corner-stone of its policy.

The representative of Iran, M. Bahramy, stated that, in the circumstances, his Government also proposed to resume its freedom of action.

The President, M. Munters (Latvia), speaking at first as representative of Latvia, said that his Government held the view that, since collective action was explicitly abandoned, the question of the consequences arising out of the situation in Ethiopia was one for each Member of the League to resolve for itself.

In his capacity as President, he would try, without attempting to sum up the discussion, to bring out its essential points. The Council had not been asked to pronounce on any question of principle, nor to retract its past judgment, nor any judgment of the Assembly in regard to the Italo-Ethiopian conflict. Nor had it been asked to lay down any line of conduct with the suggestion that that line should be followed by its Members or by other Members of the League. The Members of the Council had been asked whether they shared the opinion that the question of the recognition of Italy's position in Ethiopia was one for each Member of the League to decide for itself in the light of its own situation and its own obligations. The Council had not been invited to take a formal decision in regard to the question ; therefore,

no formal question of competence arose. Reference had been made to the possibility that the Assembly might consider the question : the discussions of the Council did not prejudice the Assembly's freedom of action.

Contradictory accounts had been given of the actual situation in Ethiopia, and it was unfortunately not possible to ascertain the facts by normal League methods of enquiry. The Members of the League must draw their own conclusions from the documents available and from such other information as they might possess.

Among the points raised before the Council was that of the principle that League Members were obliged to refuse to recognise a situation brought about by armed force, whether such obligation be based on contractual undertakings or the past resolutions of the Assembly and Council, which were not called in question. The question of the application of that principle had been discussed with great thoroughness and clearness. He did not attempt to summarise the arguments put forward or to draw conclusions as to their application in the particular case which they were considering.

It was, however, clear that, in spite of the regrets which had been expressed, the great majority of the members of the Council felt that, so far as the question they were discussing was concerned, it was for the individual Members of the League to determine their attitude in the light of their own situation and their own obligations.

The President then declared the discussion closed.

On the occasion of the session of the Assembly in September, the Emperor Haile Selassie stated, in a communication to the Secretary-General, that he did not intend to send representatives to a session the agenda of which included no question relating directly to Ethiopia.

II. — APPEAL BY THE CHINESE GOVERNMENT

The appeal addressed to the League of Nations in September 1937 by the Chinese Government under Articles 10, 11 and 17 of the Covenant continued, at that Government's

request, to appear on the Council's agenda for the various sessions held in 1938.

During the Council's hundredth session (January 26th to February 2nd, 1938), the Chinese representative had conversations with the representatives of other Members of the Council specially interested in the situation in the Far East.

As a result of these exchanges of views, the following draft resolution was examined by the Council on February 1st and 2nd, 1938 :

“ The Council,

“ Having taken into consideration the situation in the Far East :

“ Notes with regret that hostilities in China continue and have been intensified since the last meeting of the Council ;

“ Deplores this deterioration in the situation the more in view of the efforts and achievements of the National Government of China in her political and economic reconstruction ;

“ Recalls that the Assembly, by its resolution of October 6th, 1937, has expressed its moral support for China and has recommended that Members of the League should refrain from taking any action which might have the effect of weakening China's powers of resistance and thus of increasing her difficulties in the present conflict, and should also consider how far they can individually extend aid to China ;

“ Calls the most serious attention of the Members of the League to the terms of the above mentioned resolution ;

“ Is confident that those States represented on the Council for whom the situation is of special interest will lose no opportunity of examining, in consultation with other similarly interested Powers, the feasibility of any further steps which may contribute to a just settlement of the conflict in the Far East.”

Before a vote was taken on this draft resolution, the Chinese representative gave the Council an account of the principal events which had occurred since the Assembly's adjournment at the beginning of October 1937; the continuation by Japan of her invasion of Chinese territory; the bombardment by Japanese aircraft of open towns in seventeen Chinese provinces; the efforts by the Japanese authorities to establish local regimes of their own choice in the territory occupied by them; the declaration (January 16th, 1938) by the Tokio Government that it would henceforth cease relations

with the National Government of China ; the continuation by the Chinese Government of its policy of legitimate defence. In conclusion, the Chinese representative emphasised that the Far-Eastern conflict was of worldwide importance. In his opinion, as long as the Japanese aggression in China was permitted to rage unrestrained, so long would the peace of Europe remain precarious and a general European settlement difficult of realisation.

After the representatives of Ecuador, Poland, Peru, the United Kingdom, France and the Union of Soviet Socialist Republics had stated their views on the draft resolution, the Chinese representative stated that, while regarding the text submitted as inadequate, he accepted it. He nevertheless reserved his Government's right to ask the League to adopt positive measures under the Covenant, and recalled the fact that the Council remained seized of the Chinese Government's appeal invoking Articles 10, 11 and 17 of the Covenant.

On being put to the vote, the draft resolution was approved by the Council with two abstentions — those of the delegates of Peru and Poland.

On May 5th, in a communication to the Secretary-General, the Chinese Government enumerated a series of facts relating in particular to the " indiscriminate bombing and killing of Chinese non-combatants " committed by the Japanese forces from October 28th, 1937 to April 29th, 1938. On May 9th, in a second communication, it stated that, on the Shantung front, the Japanese forces had recently employed poison gases on a number of occasions, and that, according to reports received by it, those forces were intensifying their preparations for the use of such gases on a large scale.

At the Council meeting on May 10th, the Chinese representative, M. Wellington Koo, after recalling the resolutions adopted by the Assembly on October 6th, 1937, and by the Council on February 2nd, 1938, stated that these texts had practically remained unexecuted, because the League Members, with one exception, had done little or nothing to aid China. The latter had had to cope with unexpected difficulties in obtaining supplies of arms and war material as well as facilities for transit.

After recalling that the Japanese army had just suffered at Taierchwang the first major defeat in its history, he said that the military commanders were on the point of using poison gas on a large scale on the Shantung front. He accordingly asked that steps be taken immediately with a view to forestalling the perpetration of a heinous crime.

The Sino-Japanese conflict constituted a simple case of pure aggression by Japan against China. That Japan was not a Member of the League of Nations was no reason for refraining from making a serious effort to deal with her aggression. The Covenant expressly provided, in Article 17, the procedure to be followed in such cases. China expected to receive material aid and effective co-operation from the other Members of the League. The defeat of the Japanese forces was in the general interest of humanity. China was fighting for others, as well as for herself, and the task of European appeasement would be greatly facilitated by her victory. In conclusion, he asked the Council to apply the provisions of the Covenant and to implement the resolutions of the Assembly and the Council by concrete measures.

After this speech, the Members of the Council proceeded to an exchange of views on the situation in the Far East. Under the chairmanship of the President of the Council, a Committee consisting of the representatives of the United Kingdom, China, France, Roumania, and the Union of Soviet Socialist Republics drew up the following draft resolution, which was submitted to the Council on May 14th :

“ The Council,

“ Having heard the statement by the representative of China on the situation in the Far East and on the needs of the national defence of China ;

“ I.

“ Earnestly urges Members of the League to do their utmost to give effect to the recommendations contained in previous resolutions of the Assembly and Council in this matter, and to take into serious and sympathetic consideration requests they may receive from the Chinese Government in conformity with the said resolutions ;

“ Expresses its sympathy with China in her heroic struggle for the maintenance of her independence and territorial

integrity. threatened by the Japanese invasion, and in the suffering which is thereby inflicted on her people.

“ II.

“ Recalls that the use of toxic gases is a method of war condemned by international law, which cannot fail, should resort be had to it, to meet with the reprobation of the civilised world ; and requests the Governments of States who may be in a position to do so to communicate to the League any information that they may obtain on the subject.”

The Chinese representative, M. Wellington Koo, after defining his attitude to the draft resolution, which he was prepared to accept, added that it was understood that the Council remained seized of the Chinese Government's appeal under Articles 10, 11 and 17 of the Covenant. The representatives of France, the United Kingdom, Poland and the Union of Soviet Socialist Republics also stated their views on the draft resolution. The latter was adopted, Poland abstaining as regards the first part of the resolution.

On September 11th, 1938, the Chinese Government, in a further communication, recalled the resolutions adopted since the previous year by the different organs of the League (the Assembly, the Council and the Far-Eastern Advisory Committee). These resolutions, he stated, “ in their principal provisions, remained unexecuted or inoperative ”. He requested that the provisions of Article 17 of the Covenant should be applied to the situation in the Far East without further delay.

On September 16th, at a meeting of the Assembly, the representative of China, M. Wellington Koo, declared that the total of Japanese effectives in China was considerably in excess of a million men. As a result of the Japanese invasion, seven Chinese provinces were within the zone of hostilities and four others had been partially invaded. The deliberate acts of aggression by Japan against China had meant for his country enormous losses of life and wealth and an irreparable material and cultural disaster. The number of Chinese civilians killed was estimated at one million, and the number

of refugees who were homeless or had lost all their possessions at a minimum of thirty millions. The methods of warfare used by the Japanese, including gas attacks and air-bombing, were of the most inhuman. In less than a year, the Japanese military air force had made more than two thousand attacks on open towns in China, and these attacks had caused the death of ten thousand civilians and the destruction of ninety thousand buildings. Nevertheless, Japan had not been able to consolidate her position in China. Her armies had merely succeeded in establishing islands and corridors of occupation in the invaded provinces. Outside of these islands, Chinese mobile units were constantly carrying on guerrilla warfare against the invaders.

The representative of China went on to describe the serious prejudice caused to the rights and legitimate interests of third-party Powers by the Japanese invasion.

To meet this situation, the League, beyond the despatch of some anti-epidemic units to China, had done nothing but adopt a few platonic resolutions. The Chinese people could not understand why the League had not taken effective steps against the aggressor by forbidding the sale of armaments, aeroplanes and supplies essential to the war industry — for example, petrol — and by refusing financial credit to Japan.

He asked the League to apply Article 17 of the Covenant and to execute the various resolutions of the Assembly and the Council by recommending the application of an embargo on the supply of arms and certain raw materials to the aggressor State and by adopting measures of financial and material assistance to China. Japan must also be prevented from resorting to barbarous methods of warfare. For this purpose, he suggested that a commission of neutral observers should be sent to China to follow events on the different fronts and report to the League.

On September 19th, the representative of China made the same demands before the Council, dwelling especially on the need for the application of Article 17 of the Covenant. The Council decided to send to the Japanese Government a telegram informing it of the Chinese request and inviting it,

in accordance with the first paragraph of Article 17, to comply with the obligations devolving upon Members of the League for the settlement of their disputes. The telegram added that, if Japan accepted this invitation, she would have the same rights as a Member of the League.

On September 22nd, the Japanese Government replied that, being "firmly convinced" that methods such as those provided in the Covenant could not result in a just and adequate solution of the conflict between Japan and China, it was unable to accept the invitation.

The Council held discussions on the situation thus created, and, on September 30th, considered a draft report submitted by its President.

This document began by recalling that the Far East Advisory Committee, whose conclusions had been adopted by the Assembly on October 6th, 1937, had agreed that the military operations carried on by Japan against China could be justified neither on the basis of existing legal instruments nor on that of the right of self-defence, and that they were in contravention of Japan's obligations under the Nine-Power Treaty of 1922 and under the Pact of Paris of 1928.

The Japanese Government, having been invited under Article 17, paragraph 1, of the Covenant to comply with the obligations devolving upon the Members of the League for the settlement of their disputes, had declined that invitation. Although, in conformity with established practice, it was, in principle, for the Members of the League to appreciate in each particular case whether the conditions required for the application of Articles 16 and 17 were fulfilled, in the special case of Japan, the military operations in which that country was engaged in China had already been found by the Assembly to be illicit, and the Assembly's finding retained its full force. In view of Japan's refusal of the invitation extended to her, the provisions of Article 16 were, under Article 17, paragraph 3, applicable in present conditions, and the Members of the League were entitled to act as before on the basis of that finding, and also to adopt individually the measures provided for in Article 16. As regards co-ordinated action in carrying out such measures, it was evident from the

experience of the past that all elements of co-operation which were necessary were not yet assured.

The report referred to the resolution of October 6th, 1937, in which the Assembly assured China of its moral support, and to the resolution of the Council of May 14th, 1938, earnestly urging Members of the League to give sympathetic consideration to requests they might receive from the Chinese Government. Although the co-ordination of the measures that had been or might be taken by Governments could not yet be considered, the fact none the less remained that China, in her heroic struggle against the invader, had a right to the sympathy and aid of the other Members of the League. The grave international tension that had developed in another part of the world could not make them forget the sufferings of the Chinese people, their duty of doing nothing that might weaken China's power of resistance, or their undertaking to consider how far they could individually extend aid to China.

The representative of China stated that, though the report did not give entire satisfaction to his Government, he was prepared to accept it, in the hope that it would shortly be possible to co-ordinate the measures provided for in Article 16 and that, in the meantime, the Members of the League would do their utmost to apply those measures individually. The Chinese Government reserved the right to ask later for such co-ordination. He accepted the report on the understanding that the Council remained seized of his Government's appeal. He added that he did not intend to withdraw the requests which he had made to the Council that, in conformity with earlier resolutions of the Assembly and Council, concrete measures should be taken to assist China and to put an end to aggression.

After a discussion in which the representatives of the United Kingdom, Sweden, Belgium, Latvia, France, the Union of Soviet Socialist Republics, New Zealand and the Dominican Republic took part, the report was adopted.

The Council then considered a draft resolution on the subject of the use of poison gas in China, which was submitted by the President, following an exchange of views between the members of the Council.

The draft resolution referred to the Council's resolution

of May 14th, 1938, which declared that the use of poison gas was a method of warfare condemned by international law and requested Governments which were able to do so to communicate to the League any information which they might receive. It invited the Governments of the States represented on the Council and on the Far-Eastern Advisory Committee, having official representatives in China, to investigate, through the diplomatic channel, so far as this might prove practicable and by the most appropriate method, such cases as might be brought to their notice, and to submit all relevant reports for examination and consideration.

The representative of China, in accepting this draft, stated that, in his opinion, the setting up of a commission of enquiry consisting of official delegates of the States represented on the Council and the Far-Eastern Advisory Committee would have led to more rapid results than the method proposed in the draft resolution. However, he accepted the draft resolution without prejudice to his Government's right to ask the Council to take further steps if the method now proposed should not prove effective.

The representative of the United Kingdom, Mr. Butler, accepted the resolution. He added that such conflicting reports had been received concerning the use of poison gas in China that he accepted the Chinese representative's description of the situation with some reserve. He thought the proposed method of carrying out the enquiry was the best that could be adopted, at all events as a beginning.

The draft resolution was adopted. .

. . .

As a result of the adoption by the Council of the Report concluding that the provisions of Article 16 of the Covenant were applicable to Japan in virtue of Article 17, paragraph 3, the Japanese Government informed the Secretary-General on November 3rd that it had decided to discontinue the co-operation it had maintained with the technical organs of the League since its withdrawal from the League.

III. — APPEAL BY THE SPANISH GOVERNMENT

As the result of the appeal by the Spanish Government,

the Council and the Assembly again considered the situation created by foreign intervention in Spain.

On May 11th and 13th, the representative of Spain, M. Alvarez del Vayo, stated that there was no longer any need for him to bring proof of the intensification of foreign, and especially Italian, intervention during recent months. The policy of non-intervention, born of a generous impulse, appeared increasingly ineffective and unjust. The French and British Governments had often declared that the Spanish problem should be settled by the Spanish people alone, but the policy of non-intervention had proved a failure in that respect, and that failure had been solemnly confirmed in the Anglo-Italian Agreement of April 16th. The British Government had accepted the hypothesis according to which the Italian troops and material in Spain might remain there until the end of the war. The acceptance of that hypothesis implied that the outcome of the war could be decided by the active and direct intervention of Italian troops and material. How, in such conditions, could the non-intervention agreement be maintained in force without committing an iniquity and a political mistake? In these circumstances, the Spanish Government considered it urgently necessary that an end be put to the sham of non-intervention, that its right freely to purchase war materials be restored; and that the examination of the possible international effects of the Spanish question should be referred to its natural jurisdiction, the League of Nations.

The representative of the United Kingdom recalled the principles which had inspired and would continue to inspire British policy in the matter of Spain. The Spanish troubles, which began as a military revolt, had quickly assumed the character of a civil war. The Covenant of the League did not provide for a case of this kind, and it was therefore necessary to fall back on general legal principles.

The normal procedure would have been for the other States to assume the rights and obligations of neutrality and to recognise that the two parties at war had the rights and obligations of belligerents. If this had been done, each State would have been able to decide whether to authorise the supply

of munitions from its territory to the belligerents or to refuse such supplies. In fact, a different policy, defined in the non-intervention agreements, had been adopted by the European countries. That policy had been adopted in order to prevent the conflict from developing into a European war and to avoid the presence of foreign combatants on both sides in the Spanish conflict. The British Government had never minimised the extent of the breaches that had taken place on one side or the other, but the policy of non-intervention had nevertheless been partially successful, and its essential object — the maintenance of European peace — had been fully attained.

The Council had on two occasions encouraged the work of non-intervention. The United Kingdom Government would continue its efforts to make that policy effective. It hoped that the appeasement in the Mediterranean which would result from the Anglo-Italian Agreement and the Franco-Italian conversations would contribute to the final success of the London Committee's plan for the withdrawal of foreign combatants. Convinced that non-intervention was the only practical policy, it intended to persevere with it. The United Kingdom Government hoped that no effort would be spared to mitigate the disasters of the civil war in Spain, and it considered that the League of Nations had particular qualifications for acting as an organ of conciliation. The time would come, it thought, when the League would be able, once the present strife was a thing of the past, to play a part in the reconstruction of Spain.

The representative of France stated that the French Government was striving, by means of the policy of non-intervention, to which it remained faithful, to avoid complications likely to compromise European peace; it had spared no effort to safeguard the liberty of the Spanish nation. His Government believed that such a policy was the only one which was in the interests of European peace as well as of those of the Spanish nation. The efforts made by the London Committee to bring about the withdrawal of all foreign combatants had resulted in the resolution of November 4th, 1937, which laid down the principle of the withdrawal from Spain of those combatants in connection with the re-establish-

ment of land control on all Spanish frontiers and the simultaneous strengthening of the control at sea. It was possible to hope that the plan for putting this resolution into operation would be applied in the near future. He knew that he was expressing the feelings of the entire French people in affirming that the Spanish nation, once it was mistress of its own destiny, would find a way of putting an end to its sufferings.

The representative of New Zealand supported the request of the Spanish representative. The Council could not refuse to examine the situation caused by foreign intervention in Spain, or the arguments and statements of M. Alvarez del Vayo.

The representative of the Union of Soviet Socialist Republics said that, in spite of the policy of non-intervention, there was a war on a rather large scale between Spain and two other countries. The policy of non-intervention had been wrong from the beginning, since, when it was conceived, there were not two sides with equal rights, but on the one side the legal Spanish Government, which had the right to buy the armaments it needed, and on the other some rebel generals who had seized a very small part of the territory with the help of Moroccan troops and aeroplanes imported from abroad. The Soviet Government, being unable to persuade the other Governments to follow a different course, had, with very slight hopes, had to agree to a policy of non-intervention. It would not be his Government which would to-day be an obstacle to the granting of the Spanish representative's request.

The representatives of Poland and Roumania, the latter speaking on behalf of the Balkan Entente and the Little Entente, declared that they remained faithful to the policy of non-intervention.

On the conclusion of the debate, the Spanish representative submitted a draft resolution which, after recalling the Council resolution of May 29th, 1937, and the resolution on the Spanish situation submitted to the Assembly by its Sixth Committee on October 2nd, 1937,¹ invited the States Members of the

¹ See *The League from Year to Year (1937)*, pages 53 and 59.

League who had voted in favour of the latter draft resolution to consider immediately putting an end to the policy of non-intervention.

The Council voted by roll-call on the draft resolution, which was not adopted; the results of the voting were as follows :

For: the representatives of Spain and the Union of Soviet Socialist Republics.

Against: the representatives of the United Kingdom, France, Poland and Roumania.

Abstentions: the representatives of Belgium, Bolivia, China, Ecuador, Iran, Latvia, New Zealand, Peru and Sweden.

At a meeting of the Assembly on September 21st, the President of the Council of the Spanish Republic, M. Negrín, protested against the insinuation that the Spanish Government desired a general conflagration as a solution of its own difficulties in Spain. For reasons of principle his country desired that world peace should be maintained. The legitimate interests of one country ought never to conflict with the universal and humanitarian interests of the community of nations. Spain, after more than two years of war, realised what it would mean to her to be involved in a world conflict. She had no need to provoke disaster in order to settle her own problems. The recognition of Spain's rights and the re-establishment of international law, which had been violated, would have sufficed and would still suffice to ensure a rapid solution of the Spanish problem. Once foreign intervention was eliminated, a policy of national conciliation, conducted by an authoritative Government, would quickly restore internal peace to Spain. The cruel trials through which his country was passing would then appear as a ransom which had to be paid for the renovation of Spain and the revival of national spirit, the decline in which had been largely responsible for the present tragedy.

The Spanish Government, wishing to contribute by deeds to the appeasement which all desired and to remove all

pretexts for calling in question the national character of the cause for which the armies of Republican Spain were fighting, had decided on the immediate and complete withdrawal of all non-Spanish combatants taking part in the struggle on the Government's side. It was to be understood that this measure would be applied to all volunteers, without distinction of nationality, including those who had acquired Spanish nationality since July 16th, 1936.

The Spanish Government requested the League to set up immediately an international commission for the purpose of making the necessary investigations in order to satisfy the League and the world that the decision of withdrawal was being fully applied. The Spanish Government undertook to accord to this commission all guarantees and all necessary facilities.

M. Negrín spoke of the gratitude of the Spanish people to the courageous and devoted men who had freely gone to the help of Spain. He then submitted a draft resolution in the terms of which the Assembly, taking note of the Spanish Government's declaration, would decide to act in accordance with its request and ask the Council to proceed forthwith to constitute the proposed international commission.

This draft resolution was considered by the Sixth Committee of the Assembly on September 26th, 28th and 29th.

M. Alvarez del Vayo explained why the Spanish Government had approached the League of Nations and not the Non-Intervention Committee in London. A commission appointed by the League would enjoy at least as much authority as one set up by any other body. The London Committee could only execute a decision which it had itself taken. Here, however, it was simply a question of affording public opinion a guarantee that the Spanish Government's decision had been fully carried out. Further, there were moral considerations which prevented the transfer of the Spanish Government's request to the London Committee. How could they entrust the supervision of a free decision of the Spanish Government to a body on which that Government was not represented and which included delegates of the

German and Italian Governments, which were responsible for the sufferings of the Spanish people ?

In the discussion which followed, the representatives of Mexico, France, Colombia and the Union of Soviet Socialist Republics spoke in favour of the Spanish resolution. The representative of the United Kingdom, Mr. Butler, declared that, though he would not oppose the suggestion that the League should send out a commission, it was essential to limit that commission's mandate so that the action of the League would not put difficulties in the way of the action of the London Committee.

The representatives of Portugal, Albania and Hungary stated that they were unable to vote in favour of the Spanish draft, but would accept a resolution which took note of the Spanish decision and recommended that the supervision of the withdrawal should be exercised by representatives of the London Committee.

In order to reach agreement, the Committee confined itself to expressing the hope that the Council would place on its agenda the proposal submitted by the Spanish delegation and would consider it in the light of the discussions which had taken place in the Sixth Committee.

In conformity with this recommendation, which the Assembly unanimously adopted, the Council placed the Spanish Government's proposal on its agenda. On September 30th, while affirming its desire not to encroach in any way on the application of the plan drawn up by the Non-Intervention Committee and already accepted by the Spanish Government, regarding the withdrawal from Spain of foreigners taking part in the conflict in that country, the Council decided to send an international commission to verify the measures taken by the Spanish Government for the withdrawal and to report on their efficacy and on the extent to which it considered the withdrawal to be complete.

The Council appointed a Committee of three members — namely, the representatives of the United Kingdom, France and Iran, to constitute, despatch and, so far as necessary, direct the working of the commission. It was understood

that, if a similar request were made by the other party in Spain, the Council would receive it in the same spirit.

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As a result of a suggestion by the Norwegian delegation, the question of a peaceful solution of the Spanish conflict was also the subject of a short discussion in the Sixth Committee of the Assembly.

The Norwegian delegation, returning to a proposal which it had made to the 1937 Assembly, had also submitted a text in the terms of which the Assembly asked the Council, in view of the provisions of Article 11 of the Covenant, to follow attentively the developments of the situation in Spain and to seize any opportunity which might arise for seeking the basis of a pacific solution of the conflict. The representative of the United Kingdom observed that it was difficult, in the case of Spain, to apply Article 11, which provided for conciliation between two States, but did not meet the case of civil war. This point of view was also taken by the representative of Bolivia. The Spanish representative, however, pointed out that it was only the question of foreign intervention in Spain that his Government had brought before the League and that the Spanish Government would not agree to any intervention in the internal struggle. The Norwegian delegate then withdrew his proposal, on the understanding that the minutes of the discussion would be forwarded to the Council.

IV. — THE EUROPEAN SITUATION

The general anxiety caused by the situation in Europe in the second half of September was echoed in the Assembly. On September 27th, the Cuban delegation made a proposal that the Assembly should associate itself with the appeal for peace made by the President of the United States of America. On September 28th, several delegates submitted a draft resolution for the consideration of the General Committee of the Assembly, which adopted it, with some modifications, on the same day.

On the following day, the Assembly unanimously adopted the draft prepared by the General Committee, of which the following is the text :

“ Representatives of forty-nine States meeting as Delegates to the Assembly of the League of Nations have watched with deep and growing anxiety the development of the present grave situation in Europe.

“ The Assembly is convinced that the existing differences are capable of being solved by peaceful means. It knows that recourse to war, whatever be its outcome, is no guarantee of a just settlement, and that it must inevitably bring untold suffering to millions of individuals, and imperil the whole structure of civilisation in Europe.

“ The Assembly, therefore, voicing the prayer of the peoples of all countries, expresses the earnest hope that no Government will attempt to impose a settlement by force.

“ The Assembly welcomes with great satisfaction the action taken by the President of the United States and fully associates itself with the spirit which inspired it.”

V. — DISPUTE BETWEEN BOLIVIA AND PARAGUAY

In a telegram dated July 21st, 1938, the Argentine Minister for Foreign Affairs, President of the Peace Conference of Buenos Aires, informed the Secretary-General that the Ministers for Foreign Affairs of Bolivia and Paraguay, who had gone to Buenos Aires at the invitation of the Peace Conference, had that day signed a treaty of peace and friendship, and on frontier questions, which brought the Chaco disputes to an end.¹

✓ The Secretary-General communicated this telegram to the Members of the League and warmly congratulated the Peace Conference, and especially its President, on the success of their untiring efforts.

During the session of the Assembly, the representatives of the Argentine Republic, Bolivia, Peru, Uruguay, Colombia, the Dominican Republic, Cuba, Ecuador, Mexico, Spain,

¹ In particular, this Treaty entrusted to the Presidents of the United States of America, Argentina, Brazil, Chile, Peru and Uruguay the task of arbitrating on the question of the frontier between Bolivia and Paraguay in the Chaco. The arbitrators made their award on October 10th, 1938.

the United Kingdom and France and the President of the Assembly, the representative of Ireland, expressed their satisfaction at the solution which had been found for a dispute which had been dividing the two States for so long a period.

VI. — QUESTION OF ALEXANDRETTA

In two telegrams, dated December 15th and December 24th, 1937, the Turkish Government made a number of observations and reservations regarding the preparation and application of the electoral regulations drawn up by the Commission which the Council had appointed to organise and supervise the elections in the Sanjak of Alexandretta.¹

The Turkish Government's reservations and observations were submitted to the Council at its session in January 1938, and the Electoral Commission meanwhile postponed the execution of the programme of work it had adopted.

After hearing the statements of the Turkish and French representatives and a declaration by the President of the Electoral Commission, the Council decided, on January 31st, 1938, to set up a Council committee consisting of representatives of Belgium, the United Kingdom, France, Sweden and Turkey. Within the limits of the provisions and texts adopted by the Council on May 29th, 1937, and accepted by France and Turkey, this committee was to endeavour to make such modifications as might prove necessary in the electoral regulations. The President of the Electoral Commission was to afford the committee his assistance, and the latter's decisions were to be unanimous. In the probable event of this work's being completed before the Council's next session, the committee would submit to the President of the Council the regulations finally adopted by it. The President of the Council would then immediately communicate those regulations to the mandatory Power, on behalf of the Council, for promulgation in the Sanjak. Furthermore, the Committee would take the decisions mentioned in paragraphs 8 and 9 of the report adopted by the Council on May 29th, 1937,

¹ See *The League from Year to Year (1937)*, page 70.

concerning, on the one hand, the appointment of officials and staff, and, on the other, the date of the first elections. It was understood that the latest date mentioned for these elections (April 15th, 1938) would be postponed as far as might be necessary.

The Council Committee met at Geneva from March 7th to March 19th, 1938. After examining the text of the electoral regulations drawn up by the Commission, and a counter-proposal submitted by the Turkish representative, the Council Committee unanimously adopted the regulations for the first elections in the Sanjak. In the report which accompanies the final text of the regulations, the Council Committee fixed July 15th, 1938, as the date by which the elections were in any case to be completed, on the understanding that the Electoral Commission would do its utmost to complete the proceedings by June 30th, 1938.

The Committee also prepared the list of officials who would assist the Electoral Commission in the performance of its task, and approved the composition of the special tribunal provided for in the regulations. As regards interpreters and subordinate staff, the Committee felt that the Electoral Commission should be free to engage them for itself in whatever manner it might think best.

After the final text of the electoral regulations had been communicated by the Chairman of the Committee to the President of the Council, it was immediately transmitted to the French Government as mandatory Power, with a view to promulgation in the Sanjak.

The Commission proceeded to the Sanjak at the end of April and, at the beginning of May, began the registration of electors. At the end of June, however, the Commission informed the Council that circumstances obliged it to discontinue its work. It stopped the registration of electors on June 26th and left the Sanjak on June 29th. On July 30th, it submitted its report to the Council.

VII. — PROTECTION OF MINORITIES

In the course of the year, fifteen minority petitions were received. In the terms of the Council resolution dated September 5th, 1923, eight of these were declared receivable and seven non-receivable.

The Committee set up to examine these petitions together with those which had been received in earlier years and the examination of which had not been concluded, held in all twenty-five meetings during this period. The examination of four petitions was concluded in the course of the year. The Council was not seized of any petitions during the period in question.

VIII. — COMMISSION OF ENQUIRY FOR EUROPEAN UNION

The Commission of Enquiry for European Union was not able to meet in 1938.

In the circumstances, the Assembly decided to renew the Commission's mandate for 1939 and forthwith to place the question on the agenda of its next session.

CHAPTER V

MANDATES

I. Examination of Annual Reports concerning the Administration of Territories under Mandate. — II. Petitions.

The Mandates Commission held its ordinary summer (June to July)¹ and autumn (October to November)² sessions, at which it examined the annual reports of the Mandatory Powers concerning the territories under their administration. At the conclusion of this examination, the Commission, as is customary, made a number of observations. The Council, at its session of September 1938, decided to communicate to the mandatory Powers, in order that they might take the necessary action, the observations formulated by the Commission at its summer session. The report on the Commission's autumn session will be examined by the Council at its session in January 1939. The Assembly, which considered the question of mandates, noted that the regime gave, on the whole, noteworthy results which might be placed to the credit of the League.

I. — EXAMINATION OF THE ANNUAL REPORTS CONCERNING THE ADMINISTRATION OF THE TERRITORIES UNDER MANDATE

(a) *Territories under A Mandate.*

(1) *Palestine.*

The Commission noted that the political situation had not emerged from the deadlock which, in the words of the

¹ Reports on the following territories were examined at this session : Palestine and Trans-Jordan, 1937 ; Tanganyika, 1937 ; Togoland under French Mandate, 1937 ; South West Africa, 1937 ; Nauru, 1937 ; New Guinea, 1936/37.

² Reports on the following territories were examined at this session : Syria and Lebanon, 1937 ; Cameroons under British Mandate, 1937 ; Cameroons under French Mandate, 1937 ; Togoland under British Mandate, 1937 ; Ruanda-Urundi, 1937 ; Western Samoa, 1937/38 ; Islands under Japanese Mandate, 1937.

representative of the mandatory Power, characterised it a year ago.

Throughout 1937, public order was continually disturbed and its restoration had been the main concern of the mandatory authorities, who had applied themselves to this task with a determination for which every credit was due, even though the measure of success attained was not commensurate with the efforts expended or the sacrifices made. The measures for the restoration of order were a heavy financial burden on the country and the effort which these measures necessitated inevitably interfered with ordinary administrative activities.

The Commission thought it should add that the application of the mandate was now partially suspended, as events had prevented some of its essential objects from being pursued. The period during which Jewish immigration had been limited had been prolonged to a greater extent than would have been justified by the application of the principle of the economic absorptive capacity of the territory which had been approved by the Council.¹ Similarly, the situation had been regarded as less favourable than ever for securing the development of the self-governing institutions referred to in Article 2 of the mandate.

The Commission observed, however, that the Mandatory Power had already introduced certain reforms urged by the Royal Commission as immediately necessary. As regards the status of Palestine, the Commission was informed by the mandatory Power that partition was still the solution which it considered to be the best, and that the mandatory Power had instructed the Technical Commission, appointed for the purpose, to pursue the study of this matter.²

¹ At a meeting of the Council on September 17th, the representative of the United Kingdom stated his Government's opinion that there was nothing in the terms of the mandate to prevent the mandatory Power, at any given moment, from placing such restrictions on immigration as temporary conditions in the territory might render desirable. The representative of the Mandates Commission declared that the Commission had simply wished to draw the Council's attention to the fact that circumstances still prevented the application of the principle of economic absorptive capacity previously sanctioned by the Council.

² On September 16th, 1937, the Council, while reserving its opinion and decision on the matter, authorised the mandatory Power to study the problem of partition and the steps which it would entail (see *The League from Year to Year (1937)*, page 101).

The Commission expressed the hope that the period that would elapse before a final decision was reached as to the future status of the territory would be made as short as possible, since all the interests involved could not but suffer from the continuance of the existing state of uncertainty.

The representative of the United Kingdom informed the Council on September 17th that his Government was fully conscious of the disadvantages of the present state of uncertainty, and that its decision regarding the future status of Palestine would be taken at the earliest moment possible, in the light of the report of the Commission set up to study the possibility of partition.¹

The representative of the United Kingdom next referred to the steps taken by the mandatory Power to combat the campaign of terrorism and sabotage which had continued in Palestine since the summer of 1937. He assured the Council that the competent authorities were making every effort to restore order. Their task was, however, one of peculiar difficulty and it was possible that it might not be accomplished until a final decision was reached on the fundamental question of the policy to be followed.

(2) *Syria and Lebanon.*

Although the Franco-Syrian and Franco-Lebanese Treaties of 1936 have not yet been ratified by the French Government, some of their provisions have been in operation since January 1st, 1937. In this way, the mandatory Power desired to give the States under mandate the opportunity of proving their fitness for self-government.

The accredited representative of the French Government informed the Mandates Commission that negotiations were in progress between the French and Syrian Governments. These negotiations referred to the guarantees which must be supplied by the Syrian Government concerning freedom of conscience, the personal status of minority communities and the application of the system of administrative decentralisation. They

¹ This report was forwarded to the League of Nations during December.

were concerned also with certain duties to be performed by French officials under the treaty regime and with the military arrangements provided for in the Treaty.

As regards Alexandretta, the Commission took note of a declaration by the representative of the mandatory Power, in which he said : " The Alexandretta problem has been dominated by far-reaching necessities and considerations of an international character. There have been developments in this connection which have changed the whole aspect of the question. The circumstances and consequences of those developments are still a matter for the Council of the League of Nations." In these circumstances, the Commission thought it proper to postpone until later its examination of the administration of that part of the territory since November 29th, 1937, the date fixed for the entry into force of the Council's decisions of May 29th, 1937.

The Commission endeavoured to form an opinion as to the stage of development reached by Syria and Lebanon now that the greater part of the period of three years, initiated on January 1st, 1937, had elapsed. After trying to ascertain the degree of autonomy at present enjoyed by the Syrian and Lebanese authorities, it reviewed the problems raised by the policy of administrative centralisation and the imperious tendencies of the Syrian Government, and also by the opposition which such tendencies encountered in several districts — namely Jebel Druze, Latakia and Upper Jezireh.

This examination left the Commission doubtful as to the future of a policy which might prove contrary to the wishes of the minorities in those regions. The Commission drew attention to the dangers involved in setting up an over-centralised system, while not overlooking those which would result from a lack of authority in the central power.

On the question of freedom of conscience, the Commission noted especially that, while in Lebanon the various denominations are placed on a footing of equality in regard to religious conversion, in Syria, on the other hand, it is impossible for Moslems converted to another religion to give due legal effect to their change of religion. The Commission was of opinion that the attitude thus taken up by the Syrian authorities was

not in conformity with the letter or the spirit of the provisions of the mandate, as specified in certain articles of the Syrian Constitution to which the Syrian Government had promised to give full effect.

With regard to freedom of opinion and of the Press, the information supplied to the Commission showed that the result of the very severe action taken against the opposition by the Syrian and Lebanese Governments had been that the opposition was no longer openly active. Furthermore, it seemed that the liberty of the Press, which was guaranteed by the Syrian and Lebanese Constitutions, was, in fact, only very limited. As to the judicial organisation, the Commission noted that, notwithstanding the progress made, this organisation in some of its aspects still left something to be desired. It drew special attention to the importance of the existence of a judicial system offering all the guarantees necessary to ensure regular justice to all the inhabitants, without distinction.

Lastly, the Commission noted that the Syrian and Lebanese Governments had, in 1937, agreed on the principle of separate Customs administrations. The negotiations regarding the practical application of this principle were, however, unsuccessful, and it would seem that the two territories had entered on a rivalry closely verging on a tariff war.

(b) *Territories under B Mandate.*

(1) *Cameroons under British Mandate.*

The Commission was happy to note the progress made in regard to education, especially in the southern part of the territory, through close co-operation between the mandatory Power and the missions.

It also took note of the considerable increase in expenditure on public health services and of the improvements effected in the working of those services.

The Commission asked for assurances regarding the utilisation of the revenues collected in the districts composed partly of mandated territory and partly of Nigerian territory.

In regard to the work of demarcation of the frontier between the Cameroons under British mandate and the Cameroons under French mandate, the Commission expressed a desire to receive particulars of the instructions given to the Demarcation Commission in respect of the safeguarding of the interests of the tribes inhabiting the frontier regions.

(2) *Togoland under British Mandate.*

The Commission again noted the efforts made by the mandatory Power to promote the moral and political education of the native population with a view to their making an advance towards self-government. It noted the progress made in the field of education and hoped that measures might be taken to intensify the campaign against sleeping-sickness.

(3) *Cameroons under French Mandate.*

The Commission was interested to note the temporary suspension of the grant of any further agricultural concessions. It hoped to receive confirmation that this measure was evidence of the mandatory Power's intention to pursue a policy of protecting and developing the native peasantry.

The Commission was also happy to learn of the steps already taken by the mandatory Power in deference to the concern expressed by the Commission respecting the safeguarding of native property.

(4) *Togoland under French Mandate.*

The Committee noted with satisfaction that, owing to the material improvement in the financial situation of the territory, it had been possible to modify certain administrative measures taken for reasons of economy in the last few years, and thus to make the territory once more autonomous in regard to the majority of its administrative services.

With regard to the system of land tenure, although no abuses had been reported, the Commission still felt concern at the risks inherent in the existing system from the point of view of the safeguarding of native property, which is formally

stipulated in Article 5, paragraph 2, of the mandate. It noted the accredited representative's statement that consideration would be given to the question whether any addition should be made to the legislation in force.

(5) *Ruanda-Urundi under Belgian Mandate.*

Notwithstanding the adoption of the system of indirect rule, the traditional native authorities of the territory are still kept under close supervision and the administration of the Treasury is reserved to the European authority. The Commission hoped that the evolution of the native mentality and the process of selection applied to the chiefs would make it possible to invest them with the real authority required by their functions.

The Commission also noted that the financial situation of the territory continued to improve and had made possible a further amortisation of the public debt. Lastly, it noted the development of economic and commercial relations between Ruanda-Urundi and the Belgian Congo, and the advantages accruing to Ruanda-Urundi from the free access to the markets of the neighbouring colony.

(6) *Tanganyika.*

The financial position of this territory continues to be favourable. Further, the Commission regarded it as being to the credit of the system of indirect rule practised in the territory that the native authorities took action for the restoration of order on the occasion of the disturbances which occurred in the district of Moshi. It also expressed its satisfaction at the policy which the Administration was following for the better organisation of the recruiting of the workers, and noted that the steps taken for the improvement of labour conditions in the Lupa gold-field had had a good effect.

With regard to the regime of economic equality, the mandatory Power had formulated the opinion that States which are not members of the League of Nations cannot claim economic equality for their goods imported into Tanganyika,

either under the terms of the mandate or under Article 22 of the Covenant, though, in some cases, a claim may be justified under other instruments applicable to the mandated territory. These instruments are the Treaty of Saint-Germain of 1919 and the Agreement of 1925 granting nationals of the United States of America the same economic rights as those possessed by nationals of League Members, as well as various bilateral trade agreements according the most-favoured-nation treatment in Tanganyika.

(c) *Territories under C Mandate.*

(1) *Islands under Japanese Mandate.*

The Mandates Commission had, as is customary, received the report of the Japanese Government on the administration of the Islands under Japanese Mandate for 1937. That Government had appointed an accredited representative for the examination of the report, but, as a result of its decision to discontinue its collaboration with the organs of the League, the Japanese Government informed the Secretary-General that it had withdrawn the authority previously conferred upon its representative.

The Commission recalled the various texts applicable in the case and, considering that under Article 22 of the Covenant it was under an obligation to examine the annual reports of the mandatory Powers, decided to proceed with the examination of the Japanese Government's report and to submit observations thereon to the Council as usual, notwithstanding the absence of any accredited representative of the mandatory Power.

The observations of the Commission include, in particular, requests for information concerning the powers of village chiefs and chiefs of police, the question of the application of the "National Mobilisation Law" promulgated in Japan in 1938, public finance, health, the system of land tenure and the decline in the native population in certain islands.

(2) *Nauru.*

The Commission was much concerned at the high death rate of the native population and especially at the rate of infantile mortality. It stated that it would follow with the greatest interest the investigations made on the island with regard to questions of health in general, nutrition and fresh water supply.

(3) *New Guinea.*

The Commission expressed the desire to know the mandatory Power's opinion on the question whether the welfare of the natives would be better secured by opening up uncontrolled areas to European activities as soon as they are brought under control or by arranging for a transitional period which would enable the Administration to strengthen its authority and develop its activities.

(4) *Western Samoa.*

The Commission was interested to note the mandatory Power's intention gradually to increase the number of natives admitted to the various posts in the Administration of the territory.

(5) *South West Africa.*

With regard to the relations between the various sections of the European population of the territory, the Commission noted a declaration by the mandatory Power to the effect that it was confident that the mellowing influence of time and the necessity to co-operate in the promotion of common interests would gradually exercise their beneficial effects. The Administration pointed out that, in spite of the inherent difficulties of the political situation in the territory, the atmosphere had improved and the work of government had been easier in recent months. Certain tendencies, however, showed that there was still a marked divergence of feeling

amongst the European community, but this was due to external causes rather than to local factors.

The Commission, while aware that the Administration had stated that its policy merely aimed at avoiding undue acceleration of the development of reserves in order to convey to the natives that their improvement must depend upon their own efforts, felt that this consideration could not justly apply to the grant of certain material assistance to the natives, and hoped that the Administration would not withhold the help required by them.

II. — PETITIONS

The Commission examined many petitions concerning Palestine, Syria and Lebanon, Tanganyika and Togoland under British Mandate, together with the observations made on each of them by the mandatory Power concerned. Most of these petitions gave rise to no special recommendation to the Council. Some of those relating to Syria and Lebanon, however, led the Commission to draw the Council's attention to the passages in its general observations regarding this territory. The Commission also drew attention to the importance of the accounts contained in some of the petitions concerning Palestine.

In accordance with its practice, the Council decided that the conclusions of the Commission regarding the petitions relating to Palestine, Tanganyika and Togoland under British Mandate should be communicated to the mandatory Powers concerned and to the petitioners. The conclusions of the Commission on the petitions concerning Syria and Lebanon will be submitted to the Council at its session to be held in January 1939.

CHAPTER VI

INTELLECTUAL CO-OPERATION

- I. International Act concerning Intellectual Co-operation. — II. Teaching of the Principles and Facts of International Co-operation. — III. Scientific Study of International Relations. — IV. Enquiry into the Use of Machinery in the Modern World. — V. "Conversations". — VI. Unemployment Among Intellectuals. — VII. — Literary Questions. — VIII. Art and Archæology. — IX. Music and Musicology. — X. Exact and Natural Sciences. — XI. Rules for International Competitions in Architecture. — XII. Education. — XIII. Intellectual Rights. — XIV. Broadcasting. — XV. Cinematography. — XVI. Obstacles to Intellectual Life. — XVII. Intellectual Agreements. — XVIII. National Committees on Intellectual Co-operation. — XIX. Liaison Committee of the Major International Associations.

The outstanding event in the work of intellectual co-operation during 1938 was the conclusion of an international Act aiming, on the one hand, at promoting the constitution and development of national committees on intellectual co-operation and, on the other, at safeguarding the international status of the International Institute of Intellectual Co-operation and increasing its financial resources.

I. — INTERNATIONAL ACT CONCERNING INTELLECTUAL CO-OPERATION¹

In July 1937, the second General Conference of National Committees on Intellectual Co-operation adopted a resolution requesting the International Committee on Intellectual Co-operation to study the question of a draft international Act giving the Institute of Intellectual Co-operation the character of an organisation founded by collective agreements or treaties, while maintaining its connection with the League of Nations.

The Council and the Assembly, recognising the value of this proposal, instructed the Secretary-General to transmit

¹ See *The League from Year to Year (1937)*, page 153 *et seq.*

to all Members of the League and non-member States a draft for their comments, and considered the possibility of convening a diplomatic conference.

The replies received were for the most part favourable, and the Council entrusted to the French Government the task of convening and organising the conference.

The Conference, therefore, met at Paris on November 30th, 1938, and was attended by the delegates of fifty States, five of whom were represented by observers. It adopted the text of an international Act concerning intellectual co-operation.

In the Preamble of the Act, the Conference defines the object in view — namely, the promotion, in the interests of peace, of cultural relations between peoples through the activities of an intellectual body with the threefold character of universality, permanence and independence; it declares its anxiety to increase the financial means of which the Institute of Intellectual Co-operation disposes, in order to enable the latter to continue and develop its work, which the Conference considered to be of the greatest value.

The Act, which consists of eleven articles, begins by asserting that the work of intellectual co-operation is independent of politics and based entirely on the principle of universality. It provides for the establishment of a national committee on intellectual co-operation in each of the contracting States, to serve as a centre for the promotion of such work, on both the national and the international planes. The International Institute of Intellectual Co-operation, which it recognises as a legal personality, is to lend the national committees its effective collaboration. Each of the contracting parties is to pay to the Institute an annual financial contribution, which will be added to the contribution granted by the Government of the French Republic under the Agreement of December 8th, 1924. Lastly, the Act associates the high contracting parties with the administrative and financial management of the Institute and provides for an annual meeting of the delegates of States attached to the Organisation for the general discussion of all points arising in connection with the management and the use of the funds in question.

The Act is subject to ratification by the signatory States and will be open, as from May 1st, to the accession of States to which the text has been communicated. It will come into force following the receipt by the French Government of the eighth ratification or accession.

In its final Act, the Conference, in view of the fact that a transitional period must elapse between signature and ratification, requests those States who now contribute to the budget of the Institute to continue their payments until the moment when the Act comes into force as far as they are concerned.

II. — TEACHING OF THE PRINCIPLES AND FACTS OF INTERNATIONAL CO-OPERATION

The Committee for the Teaching of the Principles and Facts of International Co-operation discussed the question of the choice of foreign languages to be studied and the aims of such studies

The Committee noted that the study of living languages and existing cultures, stimulating as it does comparison with the mother tongue and native culture, forms a useful complement to the study of the latter. It dwelt on the advantage to be derived from training teachers of modern languages, who should be assisted in making visits abroad. It also drew attention to the importance of a judicious selection of textbooks and texts; the value of combining visual image with sound in teaching foreign languages — namely, by the use of the cinema and sound registration; the utility of establishing special libraries and collections of selected periodicals, illustrated journals and newspapers for pupils; and the value of international correspondence between scholars.

The Committee was of opinion that the study of foreign languages can in no way hinder the study of the native language and culture, to which it is a useful adjunct.

III. — SCIENTIFIC STUDY OF INTERNATIONAL RELATIONS

The Permanent International Studies Conference is now an autonomous body within the framework of intellectual co-operation.

Considerable progress has been made in the geographical development of the Conference's activities, which have been extended in a striking manner this year in South America, Asia and Europe. New national committees have been formed recently in Mexico, Chile, Japan, Belgium, Bulgaria, Yugoslavia and Finland.

A further satisfactory development has been the closer co-ordination of research. This was made possible by the generosity of the Rockefeller Foundation, which made a grant of \$100,000 for the period 1938/39. The grant is intended to cover the expenses of the secretariat of the Conference, which is provided by the Institute of Intellectual Co-operation, to allow of the execution of a programme of investigations on international lines and to assist the national groups taking part in the Conference in the scientific work in which they engage.

In May 1938, the Conference held its eleventh annual session at Prague. The chief question dealt with, in conclusion of an enquiry on the subject begun several years ago, was "The University Teaching of International Relations". There were also discussions concerning the preparation of the 1939 Conference, which is to be on "Economic Policies and Peace".

The organisation of the enquiries on this subject is in the hands of a Programme Committee, which has drawn up the minimum programme of questions to be studied by all the national groups, together with a list of related subjects to be dealt with in the form of special investigations (exchange control), or to be allotted among the most highly qualified experts.

The League Assembly was happy to note the results thus achieved in the study of questions of peaceful change, and the carrying out of a programme of enquiries into the economic policies of the different countries and their influence on the peace of the world.

IV. — ENQUIRY INTO THE USE OF MACHINERY IN THE MODERN WORLD

The Institute of Intellectual Co-operation, with the active assistance of the International Labour Office, continued its enquiry on the question of machinery. In this study, it has enjoyed the scientific collaboration of eighty persons belonging to thirty-one different countries. The enquiry is being carried out under the direction of three rapporteur-editors, who met at Paris in February last to decide on their method of work.

V. — " CONVERSATIONS "

Three " Conversations " have taken place since the last session of the Commission. These were on the following subjects : " The Immediate Future of Letters " (Paris, July 1937) ; " New Theories in Modern Physics " (Warsaw, June 1938) ; and " The Educational Mission of the University " (Luxemburg, 1938). Experience has shown that in general work covering the multifarious aspects of intellectual life, it is necessary from time to time to hold meetings devoted to the discussion of general problems. These meetings bring to light the predominant preoccupations of intellectual life, give guidance to the executive organs at the disposal of the Intellectual Co-operation Committee and ensure the direct participation of eminent representatives of the world of thought.

These " Conversations " being an essential form of the activities of the Intellectual Co-operation Organisation, the Committee invited the Permanent Committee on Arts and Letters to consider what modifications might be made in those activities in order to ensure the maximum results. It was also asked to make arrangements for the next " Conversation ", the subject of which will be " Quality and Life ".

VI. — UNEMPLOYMENT AMONG INTELLECTUALS

Since its creation in 1936, the International Bureau of University Statistics has realised that the mission entrusted to it with a view to the promotion in the most varied forms,

and by regulated action (*i.e.*, suitable investigations, documentation, propaganda', of measures likely to bring about an improved organisation of the intellectual labour market, cannot be carried out without the direct and continued support of a number of persons whose advice is of special value by reason of the contributions they have made to the study of the question. With the assistance of the persons whose aid was sought, a Permanent Advisory Committee was set up at the beginning of 1938.

This Committee was convened for the first time on November 3rd and 4th, 1938. The object of the meeting was to elucidate the principles which, in the opinion of the Committee, should serve as a basis for the future activities of the Institute of Intellectual Co-operation in its campaign against unemployment among intellectuals and for the work of the various national bodies already existing or to be set up in the future whose mission is the development of university statistics and the spreading of information regarding the intellectual professions with a view to a methodical study of the labour market for intellectual workers. As the result of discussions based on a full documentation, the Institute was invited, in particular, to publish : (*a*) an international handbook on university statistics, drawn up on the basis of the minimum programme of university statistics approved by the Committee ; (*b*) an introduction to the study of the intellectual labour market, giving information as to the methods of carrying out that study and the material necessary for its preparation. The International Labour Office was also asked to prepare a study on the standardisation of statistics relating to the intellectual professions.

VII. — LITERARY QUESTIONS

Two volumes of the Ibero-American Collection appeared in 1928, *Traditions péruviennes*, by Ricardo Palma, and *Folklore chilien*. In 1939, *Martin Fierro*, by Hernández, and the dramatic works of Florencio Sanchez will be published.

This collection, the object of which is to familiarise the European public with the most characteristic works of Latin-American culture, is increasingly successful. Up to the present, the works have been published in French only, but the Committee has expressed the desire to have them translated also into English.

In the Japanese collection have been published *L'art, la vie et la nature au Japon*, by Professor Anesaki, and *Kokoro* (A Heart).

VIII. — ART AND ARCHÆOLOGY

The International Museums Office devoted its attention to essentially practical work, such as the methods of preservation of works of art. It published a handbook on the preservation of paintings for the use of curators of museums.

The Office further prepared a compendium of comparative legislation on ancient monuments and excavations and a polyglot dictionary of technical terms used in art and archæology. Lastly, it drew up a draft Convention on the protection of monuments and works of art in time of war.

With regard to the last-named draft, the Assembly thanked the Netherlands Government for its offer to consult Governments on the matter and, should occasion arise, to convene a diplomatic conference.

The Council had previously decided to call a conference on the protection of national artistic and historical possessions and had proposed that the meeting should take place in 1939. The Assembly expressed the hope that the greatest possible number of States would be represented at the conference.

IX. — MUSIC AND MUSICOLOGY

The Swiss National Committee on Intellectual Co-operation submitted last year to the General Conference of National Committees held at Paris various proposals for the extension of the activities of the Intellectual Co-operation Organisation to the sphere of music and musicology.

In addition, the Institute placed before the Committee on Intellectual Co-operation a programme prepared by it which included, in particular, studies intended to bring about co-ordination in the field of musical bibliography, the teaching of music, archives of gramophone records, broadcasting, etc.

The Committee considered the question and came to the conclusion that there must be preliminary consultation before a plan of work could be drawn up.

With regard to the Swiss proposal that a "Conversation" on music should be organised, the Committee left the decision to the Permanent Committee on Arts and Letters, which was in favour of the suggestion.

X. — EXACT AND NATURAL SCIENCES

Highly satisfactory results have been achieved in the matter of exact and natural sciences. The "Conversation" at Warsaw on "New Theories of Modern Physics" was undoubtedly successful.

In view of the particularly satisfactory conditions in which collaboration is maintained between the Committee on Intellectual Co-operation, the International Council of Scientific Unions and the Scientific Unions themselves, the Executive Committee of the Intellectual Co-operation Organisation was instructed to continue, with the assistance of the Institute, the progressive execution of a plan drawn up by experts.

With a view to extending its collection of scientific publications, the Institute was entrusted with the task of publishing the results of the meetings to be held on the basis and method of mathematical science, ionising radiation measures, genetic and cytological nomenclature, the application of calculations of probabilities, the philosophical consequences of new theories of physics and magnetism and solid bodies.

Work was also in progress during the year on the study of phyto-hormones, the measurement of the molecular and atomic weights of gases, the publication of old scientific manuscripts, etc.

XI. — RULES FOR INTERNATIONAL COMPETITIONS IN ARCHITECTURE

The Committee approved the " Rules for International Competitions in Architecture and Associated Arts " drawn up by a special Committee of Experts.

These draft rules, which are intended for the guidance of organisers of such competitions, to be used as a basis in drawing up their programmes, relate to the following points : the organisation and publicity of competitions ; the preparation of programmes ; the inscription and admission of competitors ; the award of prizes ; rewards and compensation ; authors' rights ; the working of juries ; the exhibition of plans ; the settlement of disputes.

The Council of the League authorised the communication of this draft to all States Members and non-members of the League, so that the administrations of those countries interested in the matter might use them in organising international or national competitions.

XII. — EDUCATION

International University Relations.

In 1938, the University Service prepared two important works : one of these, entitled *University Problems*, which consists of 430 pages, describes the work of the International Conference on Higher Education, which met at Paris from July 26th to 28th, 1937. The volume reproduces the reports submitted to the Conference and gives an account of the discussions to which they gave rise. The general subject of debate was the adaptation of the university to modern conditions. The other publication forms the second volume of the work entitled *The Organisation of Higher Education*. It contains a series of studies on the organisation of higher education in the following countries : the Argentine Republic, Belgium, China, Czecho-Slovakia, Japan, the Netherlands, Poland, Roumania, Switzerland and the Union of Soviet Socialist Republics. As in the first volume, the authors have

adhered as closely as possible to a scheme prepared beforehand by a Committee of Directors of Higher Education with a view to facilitating comparison between the different university systems.

The Institute further, in accordance with the desire expressed by the International Conference on Higher Education in 1937, proceeded to set up a Standing Committee on Higher Education, the object of which is to encourage direct and continued contact between the administrations and teachers engaged in higher education in the different countries, to follow the development of higher education and scientific research, and to study the problems of general interest, especially those of organisation, which arise in this connection. The first meeting of the Committee, which is to take place in 1939, will be devoted to the study of the organisation of university faculties.

On the invitation of the Government of the Grand-Duchy of Luxemburg, the Committee of the International Organisations of Students, the secretariat of which is provided by the Institute, organised an International Students' "Conversation" on "University Education, its Aims and its Methods". The discussions which took place at Luxemburg from May 22nd to 25th, 1938, between twenty-five young students from sixteen countries will be the subject of a volume to be issued, entitled *Etudiants à la recherche de leur université*.

Lastly, it should be noted that the University Service has continued the publication of the half-yearly bulletin, *Students Abroad*, (French version : *L'Eludiant à l'Etranger*) and of the annual list of *Vacation Courses in Europe*.

Co-ordination of Secondary Education.

The International Institute of Intellectual Co-operation undertook an enquiry into the co-ordination of secondary education systems. The general conditions of such co-ordination were studied by a Committee of Experts in the year 1937/38, and the results of these studies have been published in a work entitled *The Co-ordination of Secondary Education*. Since the co-ordination of secondary education systems

necessitates some co-ordination in the programmes of general culture, the Committee of Experts, which will meet at the Institute in April next, will consider the rôle of national languages and literature in the general culture which it is the object of secondary education to impart, and, following on from this, the relationship of national languages and literature to ancient and modern languages.

The experts will also have to consider the place of the teaching of history and science in general education in the three types of secondary teaching : classical, modern and technical.

The Institute has issued a volume on the *Co-ordination of Secondary Education*, an *International Educational Bibliography* and a *List of National Information Centres*.

Revision of School Textbooks.

A special number of the Bulletin *Coopération intellectuelle* was issued on this question. It described the results of an enquiry made, for purposes of trial, among a number of national committees regarding the best passages of history textbooks recommended by the national committees of seven countries (the United States, Denmark, Finland, France, the Netherlands, Norway and Sweden).

Incomplete as it is, this enquiry nevertheless provides instructive indications for those engaged in education and for all who are interested in the question of school textbooks. It shows that, in spite of certain inadequacies, considerable progress has been made, and demonstrates that positive results can be obtained from work in this sphere, even in the face of unfavourable political conditions.

The Institute is preparing a new study on the revision of school textbooks and the teaching of history. This work will consist of a series of chapters, each dealing with a particular country.

Further, the national committees which took part in the first enquiry on school textbooks have been requested to bring to the Institute's notice passages from textbooks in use in other countries which they consider to be examples of

objectivity. These passages should as far as possible deal with controversial subjects.

In response to the wish of the Committee, the Council asked the Secretary-General to draw the attention of Governments of States who had not yet made observations on the subject to the declaration on the teaching of history (revision of school textbooks).

International School Correspondence.

The Standing Committee for International School Correspondence continued its work, the object of which is to promote the creation of new national bureaux of International School Correspondence. One of the most satisfactory results of this activity has been the foundation at Buenos Aires of an Argentine National Bureau. *The Bulletin of International School Correspondence*, published by the Committee, gave an account of the activities of about twenty national bureaux in the year 1936/37.

XIII. — INTELLECTUAL RIGHTS

The efforts of the Institute of Intellectual Co-operation have been directed, as far as authors' rights are concerned, on the one hand to the revision of the Berne Convention, and on the other to the preparation of a universal charter. The latter was the subject of successive recommendations by the Assembly of the League and the seventh Pan-American Conference. The preparation of the Conference for the Revision of the Berne Convention may be regarded as complete, and it will probably meet at Brussels towards the end of 1939, on the invitation of the Belgian Government.

The Institute of Intellectual Co-operation has paid particular attention, in preparing this Conference, to the inclusion in the technical programme which will be submitted to it of the question of the principal improvements which the International Committee on Intellectual Co-operation considers should be made in the present Authors' Statute. These

improvements relate chiefly to the following points : the extension of authors' rights, rights of translation, authors' rights of journalists, *droit de suite*, the introduction into the Convention of a clause providing for the submission to an international court of divergent interpretations arising between contracting States.

This Conference will be preceded by another, also convened by the Belgian Government, which will be devoted to the preparation of a universal Statute of Authors' Rights.

The two Conferences, although quite distinct from one another, are nevertheless closely connected. The work accomplished on the universal plane cannot fail to exert a favourable influence — it has indeed already done so — on the development of the Berne Union. Convincing evidence of this is provided by the favourable reception which seems, thanks to the activity of the American National Committee on Intellectual Co-operation, to have been given in the United States to the proposals for the accession of that country to the Berne Convention. Another result no less significant has been obtained in Uruguay by the adoption of legislation enabling that country to follow the example of Brazil by becoming a member of the Union. In other American countries — Chile for example, as indicated in the communication presented in the name of the Chilian National Committee on Intellectual Co-operation — Parliaments have before them draft laws embodying some of the essential principles the application of which the Intellectual Co-operation Organisation endeavours to secure all over the world.

The Assembly recognised the importance for the development of international intellectual relations of an extension of the protection accorded to intellectual work. It expressed its earnest wishes for the success of the two Conferences and its appreciation of the assistance given by the International Institute of Intellectual Co-operation in their preparation.

XIV. — BROADCASTING

A Committee, composed of representatives of intellectual circles and directors of wireless undertakings, set out to

discover the methods by which the different technical organs of the League, and in particular the Information Section of the Secretariat and the Intellectual Co-operation Organisation, might give technical assistance to national broadcasting companies in their efforts to bring about a better mutual understanding among peoples of their civilisations and institutions, and of the work of the League of Nations and the International Labour Office.

Taking note of the results of the investigation by the International Institute of Intellectual Co-operation on the question of documentation concerning international relations, science, literature and art, which might be collected and made available to the public, the Committee recommended the Institute to continue that investigation and to ensure for it a wide publicity.

In addition, it recommended the drawing up by the national committee on intellectual co-operation, if they considered it desirable, of lists of persons qualified to give wireless talks on various subjects.

The Assembly approved this programme and left it to the Committee to arrange for its execution.

In regard to two questions, the granting of special facilities to wireless reporters and Customs exemption for gramophone records and other sound recordings exchanged between national wireless organisations, the Committee considered that these matters might be referred by the League Council to the competent technical organs of the League — namely, the Transit Organisation and the Economic Organisation.

The Assembly instructed the Transit and Economic Organisations to study these questions.

XV. — CINEMATOGRAPHY

In considering the questions on its agenda relating to the cinematograph, the Committee on Intellectual Co-operation noted that circumstances had led to delay in carrying out the plan of consultation and work approved by the League Assembly in 1937 and recommended that steps be taken to

ensure that certain items of the programme should not be left in abeyance.

The Committee was of opinion that the Institute should continue the work of liaison and information which it had undertaken on the closing of the Institute of Educational Cinematography in Rome, and that this work should be accompanied by continuous efforts to promote the establishment of new institutions in countries where they do not as yet exist.

The Committee also considered that the Institute of Intellectual Co-operation should undertake the necessary documentary work to allow of the formation of an international catalogue of educational films. It added, however, that a publication of this kind called for judicious and sound preparation, with careful selection on the responsibility of the competent national organisations. Further, it recommended that preparation be made for the compilation of a list of scientific films and film archives on all subjects of scientific, documentary or historical interest.

To meet the consequences of the closing of the International Institute of Educational Cinematography at Rome, especially as regards the working of the 1933 Convention for facilitating the International Circulation of Educational Films, the Council summoned a Conference, which met at the beginning of September. In May, the United Kingdom Government had proposed that the powers conferred by the Convention on the Institute at Rome — namely, the granting of certificates attesting the educational value of films submitted — should be transferred to the International Committee on Intellectual Co-operation.

Twenty-five States took part in the Conference, which adopted a *procès-verbal* embodying the United Kingdom proposal.

Lastly, the Institute has continued its work relating to the intellectual rôle of the cinema and the development of public taste, with a view to convening, at a later date, a meeting of cinema-goers, producers, scenario writers and authors.

XVI. — OBSTACLES TO INTELLECTUAL LIFE

This question, which was raised at the last General Conference of National Intellectual Co-operation Committees, at Paris, has always been a matter of concern to the Intellectual Co-operation Organisation. The obstacles to intellectual life are chiefly of a political or economic character.

The most effective means of surmounting these obstacles, it was generally considered, consists in efforts to improve mutual understanding by combating the anomalies of a political or commercial character which divide peoples and which are increasing to an alarming extent the difficulties with which the world is already faced in the transformation of conditions of life and adaptation to new situations.

The Commission, however, also drew up a programme of technical activities in order to develop its work of co-ordination in regard to various intellectual questions and to wage an effective campaign against administrative difficulties in the way of intellectual exchanges.

XVII. — INTELLECTUAL AGREEMENTS

The Institute of Intellectual Co-operation has published a collection of intellectual agreements, giving the text of thirty-six bilateral agreements, of general conventions and of resolutions adopted by conferences of States.

Since the publication of this work, eight bilateral intellectual agreements, subsequently concluded or ratified, have been published in the Bulletin *Coopération intellectuelle*. The fact that new texts continue to reach the Institute, shows that the movement is progressing and that intellectual agreements have become an essential element in the relationships between peoples.

XVIII. — NATIONAL COMMITTEES ON INTELLECTUAL CO-OPERATION

Considerable progress has been made during the past year by the national committees on intellectual co-operation. This progress was due to a great extent to the impetus given

by the Second General Conference of National Committees held in Paris in July 1937, the result of which was to place the national committees definitely at the basis of the International Co-operation Organisation.

The second Conference of delegates of national committees drew up two resolutions in favour of intellectual co-operation of a regional character and of the special part to be played by the committees in new and distant countries.

Furthermore, since 1922/23, when the first national committees were spontaneously being formed, the Committee on Intellectual Co-operation had expressed the hope that relations would be established between such of these committees as were connected by geographical proximity or by affinities of language or culture.

It was accordingly with the greatest satisfaction that the Committee took note of the collaboration established between the Committees of the Baltic countries and of the preparation of the American Conference on Intellectual Co-operation, which will be held at the beginning of next year at Santiago, Chile. In this connection, the Assembly welcomed the support given by the Chilean Government to this Conference, and was glad to note the proposed participation of many delegations from Latin America.

The Agreement signed at Paris on July 7th, 1937, by the representatives of the national committees of Hungary, Roumania, Czecho-Slovakia and Yugoslavia has come into force.

In the terms of this Agreement, each of the committees undertakes to intervene with its Ministry for Foreign Affairs in order to obtain free entry for strictly scientific books and publications. These works will be despatched on the responsibility of the national academy concerned, which is to take all necessary steps to ensure that they are packed in such a manner as to be easily recognisable. The packages containing such books must bear the special seal of the academy and the indication "Scientific Books".

Appreciating the efforts made on these lines by certain national committees with a view to encouraging the exchange of scientific publications, the Committee instructed the

Institute to enquire into existing conditions and means for the exchange of scientific and academic publications and to obtain authoritative opinions as to the best means of improving and developing them.

XIX. — LIAISON COMMITTEE OF MAJOR
INTERNATIONAL ASSOCIATIONS

The efforts of this Committee are directed towards the establishment of peace through education. Its collaboration with the Intellectual Co-operation Organisation becomes increasingly close, and it has drawn up a programme of work of the greatest interest. This programme includes such questions as : the teaching of the principles and facts of international co-operation ; the use of modern methods of spreading information for the promotion of mutual understanding between peoples ; cultural relations between the East and the West, and obstacles to intellectual life — all of them subjects which are of concern to the Intellectual Co-operation Organisation.

CHAPTER VII

ECONOMIC AND FINANCIAL WORK

I. Structure and Functions of the Economic and Financial Organisation and the Work of the Assembly. — II. Work of the Economic and Financial Committees. — III. International Veterinary Convention. — IV. Work of the Fiscal Committee. — V. Economic Depressions. — VI. Agricultural Credits. — VII. Committee of Statistical Experts.

I. — STRUCTURE AND FUNCTIONS OF THE ECONOMIC AND FINANCIAL ORGANISATION, AND THE WORK OF THE ASSEMBLY

In 1937, the Assembly invited the Council to set up a Committee to consider the structure and functions of the Economic and Financial Organisation of the League with a view to extending the bases of international co-operation in the economic and financial spheres.¹

The Committee was appointed in January and submitted proposals to the Council, which the latter accepted at its May session.

In its report, the Committee stated that it was easier to extend the bases of international co-operation in regard to financial and economic questions than in regard to political questions, on account particularly of the continued co-operation of the United States. The development of the Economic and Financial Organisation resulting from changes in the world situation had led the Organisation more and more to study problems of social and economic policy — demographic questions; international migration; standards of living; economic crises; agricultural credits; rural life; fiscal questions; housing; nutrition, etc.

In the Committee's opinion, no drastic changes in the Organisation should be made. The report recommended, however, that an organ of co-ordination should be set up which

¹ See *The League from Year to Year (1937)*, page 113.

might initiate proposals to be laid before the Assembly or the Council; divide the work among the various committees and, in general, organise their work. This Committee would be presided over by a chairman appointed by the Council and would consist of the Council rapporteurs for economic and financial questions, representatives of the Economic and Financial Committees, the chairmen of the other standing committees of the Organisation, and a representative of the Transit Organisation. The Director of the International Labour Office would be invited to attend the meeting.

The Committee would each year prepare a memorandum on the various economic and financial questions brought before the Assembly. The report further recommended that the Assembly should divide the work of its committees in such a way as to enable one of them to give its exclusive attention to economic, financial and transit questions.

The Council appointed Mr. Bruce, High Commissioner of Australia in London, as Chairman of the new committee, which met in July to prepare a memorandum on the various questions on the agenda of the Assembly.

The Assembly and the Second Committee, on the basis of this report and a series of reports from the various technical committees, considered the questions of exchange control and raw materials. They recognised that, in the present state of political and economic instability, it was not possible to take any concerted action in these matters. As regards exchange control, the report submitted by a committee consisting of members of the Economic and Financial Committees expressed the conclusion that all that could be done for the moment was to alleviate the situation of those countries which had been forced to maintain a system of exchange control, but which were anxious to restore their relationships with free-currency countries and the system of international trade. The Assembly adopted this conclusion.

The Assembly noted that, up to the business recession which had begun in the spring of 1937, there had been a considerable amount of relaxation of exchange control by various countries acting independently.

The Assembly stated its conclusion that, in existing circumstances, bilateral negotiations were perhaps the most promising method that could be used to realise the objects set out in the resolutions of recent Assemblies. The object and result of these bilateral agreements must be an increase in the trade of the States entering upon them. The Assembly pointed out that it was desirable that such agreements should be based on the principle of the most-favoured-nation treatment and framed in a spirit of non-discrimination. It paid a tribute to the efforts of the American Secretary of State, Mr. Cordell Hull, to revive international trade through reciprocal trade agreements. The hope was expressed by several delegations that the Anglo-American Trade Agreement would give a new stimulus to the efforts to improve international economic relations.

The Assembly emphasised that, although collective action could not usefully be undertaken for the time being, that circumstance did not decrease the importance of the task which the Economic and Financial Organisation of the League had to perform in the field of international commercial relations. It hoped that the Economic Committee would actively pursue the elaboration of rules relating to the non-tariff provisions of commercial treaties and to Customs regulations and allied subjects.

Discussing the deterioration in economic conditions in many parts of the world, the Assembly felt that it was of importance that the various countries should refrain, as far as possible, from measures which might temporarily alleviate the domestic situation, but at the expense of other countries. It urged Governments to refrain from any measure likely to depress still further the prices of raw materials and foodstuffs on the world market, which were already unduly low.

The Assembly considered the question of the international co-ordination of national anti-depression policies. In this connection, the view was expressed that it might be useful if some permanent machinery existed for the exchange of information and the co-ordination of policies. The delegation for the study of measures for the prevention and mitigation

of economic depressions was requested to give its serious attention to this question.

It was further suggested that it might be easier to assure credit conditions fostering stability and expansion in industry if there existed strong institutions able to provide medium-term industrial credits, or if ordinary commercial banks were enabled to supply such credits.

On a suggestion of the delegation of the Argentine Republic, the Assembly asked the Economic and Financial Organisation to study the fundamental principles of monetary and credit policy which might be pursued in agricultural countries with a view to diminishing the influence of fluctuations in the balance of payments on the credit structure and the rate of exchange.

The Economic and Financial Organisation was invited : (1) to study the principles on which fiscal legislation dealing with the main categories of taxes, such as income tax, land taxes, etc., should be based ; (2) to undertake a study of the causes which have led to the harmful deforestation and soil erosion of certain areas and of the measures which Governments have taken to check and counteract those tendencies ; (3) to make a comparative study, in co-operation with the Health Organisation of the League and the International Labour Office, of the physiological needs and the consumption habits of different classes of the population in selected countries, and to study the influence on the standard of living : (i) of different classes of taxes in selected countries ; and (ii) of transport and distribution costs.

The Assembly, considering that demographic problems played an important part both in the national economies of the various countries and in the general economy of the world, recognised that the economic aspects of those problems had not hitherto been sufficiently studied. It requested the Council to constitute a special committee of experts to study demographic problems, and especially their connection with the economic, financial and social situation, and to submit a report on the subject which might be of practical value to Governments in the determination of their policies. It expressed the hope that a place or places would be reserved

on the said committee for the experts of countries not members of the League of Nations.

Lastly, the Assembly declared that the collection, analysis and dissemination of information relating to economic and social policies and experience could contribute materially to raising the general level of human well-being. It requested the Co-ordination Committee to keep constantly in mind the bearing of the whole economic and financial work of the League on the fundamental problem of the standard of living, and invited the Economic Committee to maintain for another year its Sub-Committee on that subject, in order that definite proposals for the further prosecution of that work might be laid before the Assembly in 1939.

II. — WORK OF THE ECONOMIC AND FINANCIAL COMMITTEES

The Economic and Financial Committees of the League examined the recent development of the economic position. The Economic Committee pointed out that both democratic and totalitarian States recognised the necessity for maintaining economic relations. The execution of a programme of economic normalisation on a reciprocal basis was of undoubted urgency. In spite of certain reassuring features, such as a relative stability of exchange, some improvement in agriculture and a renewed demand for the replacement of industrial plant, the general position was not reassuring. The Committee once more recommended the conclusion of reciprocal trade agreements and the undertaking of enquiries into measures likely to improve the material well-being of populations.

The Financial Committee compared the present recession with the economic crisis which started in 1929. While it recognised that present circumstances justified a certain degree of optimism, it pointed out that the essential condition for a speedy resumption of economic activity was a period in which private industry might carry on its affairs with some prospect of reasonable profits and with a minimum of

disturbance from fluctuations in prices and from fears of international complications.

The Joint Committee of members of the Economic and Financial Committees appointed to study the technical aspects of exchange control and its influence on national economy considered, in the first place, the origin, the working and the effects of the system of exchange control in those European States which practised it. The conclusion reached was that the system, in itself, did not provide a remedy for the difficulties of certain countries, but rather had the effect of prolonging those difficulties and in some respects of aggravating them. The Committee described in its report the measures adopted, particularly in Denmark, Bulgaria, Czechoslovakia, Estonia, Hungary, Poland, Roumania, Yugoslavia and Portugal for the relaxation of control.

The Economic Committee noted with satisfaction that in the technical field the tin industry had carried out the recommendations of the Raw Materials Committee concerning the formation of buffer stocks with a view to moderating price movements.

The Economic Committee resumed the examination of various technical questions relating to international exchanges, in order to draw up a system of rules regarding certain non-tariff provisions of commercial agreements. The Committee decided to proceed with the study of three groups of questions : the first group would comprise all rules the object of which was to reconcile the necessity for protecting human health with the need for enabling commodities to circulate as freely as possible ; the second would cover all the rules for facilitating commercial propaganda ; the third would comprise a number of questions concerning the technique of Customs clearance.

An economic Sub-Committee drew up a report on measures for maintaining or restoring prosperity. This report gives a brief statement on the value of approaching economic problems by way of standards of living, and discusses standards of living and human welfare and the mechanics of economic adjustment. It also examines the relationship between low standards of living and productivity in certain

regions of the world, and calls attention to various problems the further investigation of which it considers likely to yield fruitful results.

On the proposal of the Financial Committee, the Council, having regard to the improvement in the public finances of Hungary during recent years, and to the fact that that country had succeeded in her endeavours to reach an agreement with her creditors concerning the bulk of her foreign debt, terminated the office of Mr. Tyler, representative of the Financial Committee at Budapest, on March 31st, 1938. It was understood that, in future, the Financial Committee would receive reports once or twice a year on the financial situation of Hungary from an official of the Financial Organisation who would visit Budapest from time to time to obtain the necessary information. The Council decided that it should be left to the National Bank of Hungary to decide in what form the contacts with foreign markets and organisations outside Hungary, which up to the present had been maintained through the financial adviser to the National Bank, should be continued.

The Financial Committee also examined the financial and economic situation of Bulgaria, which it found to be in general satisfactory.

III. — INTERNATIONAL VETERINARY CONVENTION

The work of preparing a convention for settling problems attendant on the import and export of meat and meat preparations has been continued. A Committee of Experts revised, in the light of replies received from Governments, the draft Convention which was prepared on the subject in 1935. A special Committee drew up a system of rules relating to the methods of inspecting meat and animals. These rules are intended for the use of Governments in drafting bilateral trade agreements. They cover, in particular, the inspection before and after slaughter of animals intended for the export meat trade and the decisions to be taken concerning the meat.

IV. — WORK OF THE FISCAL COMMITTEE

The Fiscal Committee resumed its study of the question of fiscal evasion in the matter of taxation on income from movable capital. It concluded that, though a comprehensive solution of the problem by the creation of new forms of control did not appear possible, an improvement might be effected in the present regime by utilising existing forms of control to establish a system for the exchange of information. Such a scheme, while it would not lead to the complete suppression of fiscal evasion, would reduce it to a certain extent. The Committee, in conformity with a recommendation of the Assembly, undertook an investigation into the principles on which fiscal legislation dealing with the main categories of taxes, such as income tax, land tax, turnover tax, etc., should be based. A Sub-Committee was appointed to study these questions, calling, if necessary, on outside help. The Fiscal Committee was happy to note the conclusion of a number of international conventions for the avoidance of double taxation. It also dealt with various other questions relating to fiscal matters.

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A Committee has been continuing the study of *international loan contracts* begun in conformity with a resolution adopted by the Assembly in 1935.

As a development of the work of the Conference of 1929 on the suppression of the counterfeiting of currency, another committee prepared a protocol on the *suppression of the falsification of securities*. This has been sent to Governments for their examination.

In conformity with a wish of the Assembly, the preparation of a brief statement on the public debt of central Governments and, as far as possible, of regional and local authorities and other public institutions, has been begun.

V. — ECONOMIC DEPRESSIONS

In 1937, the Assembly invited the Economic and Financial Organisation to examine measures which might be employed for the prevention or mitigation of economic depressions. A

delegation appointed by the Council is therefore conducting an enquiry into measures for increasing stability and reviving economic activity.

In addition, scientific investigations into the recurrence of economic cycles have been set on foot. Statistical verification of business-cycle theories has also been begun.

VI. — AGRICULTURAL CREDITS

The 1937 Assembly called for an enquiry to be made into the question of agricultural credits and insurance, especially in Central and Eastern Europe. M. Tardy, Honorary Director-General of the Caisse nationale du Crédit agricole of France, was appointed to carry out the enquiry, and communicated his conclusions to the Financial Committee.

VII. — COMMITTEE OF STATISTICAL EXPERTS

This Committee, in the light of numerous observations received from Governments, reconsidered the international minimum programme for statistics of the gainfully-occupied population and drew up a final programme for the use of Governments in forthcoming census of population. On the basis of the revised draft international Customs nomenclature, the Committee revised the "minimum list of commodities" for international trade statistics, which is now in use in twenty-six countries. It made recommendations on housing statistics and on indices of industrial production. All these draft recommendations, together with a study of statistics relating to capital formation, were forwarded to the Council.

CHAPTER VIII

COMMUNICATIONS AND TRANSIT ORGANISATION

- I. Disputes relating to the Reorganisation of the Railways of the Former Austro-Hungarian Monarchy. — II. Customs Exemption for Liquid Fuel used in Air Transport. — III. Road Traffic. — IV. Co-ordination of Transport. — V. Identity Documents for the Navigating Staff of Air Transport Undertakings. — VI. The League Wireless Station. — VII. General Report on the Activities of the Communications and Transit Committee since its last Election in 1931. — VIII. Election of Members of the Communications and Transit Organisation.

During the past year, the Communications and Transit Organisation has continued its examination of the different questions within its competence. These questions are clearly of the greatest topical interest.

The new statute of the Organisation has now come into force.

I. — DISPUTES RELATING TO THE REORGANISATION OF THE RAILWAYS OF THE FORMER AUSTRO-HUNGARIAN MONARCHY

(1) Request submitted under Article 320 of the Treaty of Saint-Germain-en-Laye by the Zellweg-Wolfsberg and Unterdrauburg-Woellan Railway Company, Vienna.¹

Having received a request from the railway company above mentioned in October 1936, the Council consulted a legal committee and in September 1937 decided to refer the matter once more to the arbitrators appointed by it on May 26th and 30th, 1933.² The arbitrators fixed the time limits for the submission of memoranda and counter-

¹ See *Report on the Work of the League 1936/37*, Part I, page 127, and *Report on the Work of the League 1937/38*, Part I, page 88.

² See *The League from Year to Year (1934)*, page 104.

memoranda. In the meantime, however, the railway company had withdrawn its request, and the two Governments of the States territorially interested raised no objections to this withdrawal, which was placed on record by the Board of Arbitrators on June 29th, 1938.

(2) *Request submitted by the Noskovci-Slatina-Nasice
Local Railway Company Limited, Belgrade.*¹

As a result of communications received from the parties concerned, the Committee of Experts set up by the Committee for Communications and Transit thought it advisable, in 1935, to postpone the examination of the question. On July 15th, 1938, however, the Noskovci-Slatina-Nasice Local Railway Company sent a letter to the Secretary-General of the League of Nations in which it informed him that the matters it had brought before the League of Nations had been finally settled by the Yugoslav Government and that it accordingly withdrew the request it had submitted for the appointment of arbitrators.

II. — CUSTOMS EXEMPTION FOR LIQUID FUEL USED
IN AIR TRAFFIC²

At the Council session in January 1936, the United Kingdom Government had been authorised to make the necessary arrangements to open in London at an early date, for signature by European States, the Agreement concerning the exemption from taxation of liquid fuel used in air traffic.

In the course of the year, the United Kingdom Government informed the Secretary-General of the League that, since the end of 1936, it had been in communication with all European Governments with a view to carrying out the mandate entrusted to it. It added, in its letter of April 26th, that the replies received had led it to the opinion that the summoning

¹ See *The League from Year to Year (1935)*, page 146.

² See *The League from Year to Year (1936)*, page 138.

of a conference offered the best prospect of obtaining international agreement on the matter in question. The United Kingdom Government therefore proposed to take the necessary steps to convene such a conference.

On June 8th, the United Kingdom Government stated that the diplomatic correspondence exchanged on the subject led it to consider that it would be desirable to invite non-European Governments to the conference. It asked the Secretary-General to inform the League Council of its intention in this respect.

It is proposed to hold the conference in February 1939.

III. — ROAD TRAFFIC

(1) *Codification of Road Law.*

The Committee on Road Traffic had been instructed by the Assembly actively to pursue its work of international codification in the sphere of road traffic and signalling and to consider the expediency of revising the existing Conventions. The Committee therefore proceeded, in April 1938, to a preliminary examination of the two Conventions of 1926 regarding motor and road traffic and that of 1931 regarding road signalling. The Committee proposed modifications in the provisions of these Conventions which would allow account to be taken of the development of road traffic and the present state of technique as regards the construction of motor vehicles and of roads. It considered, however, that a more detailed study of the question should be made by a small committee of experts.

The Committee of Experts held two sessions during the year. It considered that its endeavour should be, on the one hand, to arrange for the revision of the technical provisions of the Conventions in the light of technical progress and present practice and, on the other hand, to secure the greatest possible relaxation of administrative and legal rules concerning the admission of motor vehicles and drivers from one country to another. It therefore completed the preliminary work of the Committee on Road Traffic and began a systematic

study of the three Conventions mentioned above, with a view to their revision.

The Committee of Experts, which is receiving valuable help from the international organisations interested in the question, is continuing its work.

(2) *Unification of the Direction of Traffic.*

The Committee on Road Traffic has already, on several occasions, considered the question of the direction of traffic. In 1927, it made a recommendation in favour of the unification of the direction of traffic on the European continent. In 1937, it came to the conclusion that, in view of the continued development of international traffic, this study should be extended to non-European States.

The Communications and Transit Committee therefore requested the Secretary-General to send to the Governments of those States a questionnaire asking for information on the direction of traffic in their countries and on modifications which have been made or are contemplated in the relevant rules.

(3) *Signalling at Level-crossings.*

At the request of the Communications and Transit Committee, a special Committee of Experts, taking as a basis its former work and the replies received in the course of a consultation of Governments, drew up a preliminary draft Convention on signalling at level-crossings. The draft is accompanied by detailed technical regulations regarding signalling at different types of level-crossing. It was submitted, together with a general report on the matter, to the Council, which decided, on the proposal of the Communications and Transit Committee, to summon for April 1939 a conference of all European States, those non-European States which had expressed the wish to take part in such a Conference — namely, China, Colombia, Egypt and Peru — and any other State whose Government might, before the opening of the conference, make known its desire to be represented.

IV. — CO-ORDINATION OF TRANSPORT

A questionnaire on this subject was sent to Governments in 1936, and since that date the Secretariat has received very full information from thirty-four different countries.

The Committee on Communications and Transport decided to publish an analysis of these replies and to forward it to Governments before January 1st, 1939, in order that they might complete and, if necessary, supplement the information given.

When this consultation has taken place, the information received will be examined by a committee of experts, which will be instructed to draw any conclusions that may follow from the results of the enquiry.

V. — IDENTITY DOCUMENTS FOR THE NAVIGATING PERSONNEL OF AIR TRANSPORT UNDERTAKINGS

By virtue of bilateral or multilateral agreements, the crews of vessels engaged in sea or river navigation enjoy special rights by which service cards or professional certificates are accepted in place of passports. The Communications and Transit Committee decided to set up a special committee to consider the question of the granting of similar facilities to the crews of aircraft.

This measure is rendered desirable by the necessity which often arises for members of the crews of aircraft to be replaced by others at the last moment before leaving; there are also cases of unexpected departures, in which the persons concerned have not the time necessary to procure passports or visas.

VI. — LEAGUE OF NATIONS WIRELESS STATION

The working of the League wireless station continues under favourable conditions, and the financial results of the working for 1937 showed a surplus of receipts over expenditure.

Collaboration has been arranged between the Radio Nations station and the different organs of the International Telecommunications Union. As a result of the negotiations on this subject which took place at Cairo on the occasion of the Administrative Conferences of the Union in February 1938, the Telegraphic and Telephonic Conference and the Wireless Communications Conference adopted a resolution by which, in virtue of the special legal situation of the Radio Nations station, the organ of the League responsible for the control of the station will have the right to be represented in an advisory capacity at the International Telecommunications Conferences and the meetings of the international advisory committees created by those Conferences.

The Assembly, at its last session, approved these decisions.

VII. — GENERAL REPORT ON THE WORK OF THE COMMITTEE SINCE ITS LAST ELECTION IN 1931

In conformity with the new statute of the Organisation, the Communications and Transit Committee drew up a general report on its work since the fourth general Communications and Transit Conference in 1931. This report covers all the activities of the Organisation in the various spheres — constitutional questions; liaison with international organisations; legal questions; maritime ports and navigation; transport by rail; road traffic; signalling at level-crossings; co-ordination of transport; air navigation. The report was submitted to the Assembly, which approved it and expressed its deep appreciation of the results achieved.

VIII. — ELECTION OF MEMBERS OF THE COMMUNICATIONS AND TRANSIT ORGANISATION

Under the Statute of the Communications and Transit Organisation, the Assembly had this year to elect for three years the Members of the Organisation whose nationals, to

the number of one for each Member of the Organisation, would form the new Communications and Transit Committee. The number of members of the Committee was fixed at eighteen. Four of these seats are filled, as of right, by nationals of States which are permanently represented on the Council of the League.

The Assembly elected the following States : Belgium, Bolivia, China, Colombia, Egypt, Estonia, Hungary, the Netherlands, Norway, Poland, Roumania, Spain, Turkey and Uruguay.

CHAPTER IX

HEALTH ORGANISATION

1. Campaign for the Prevention of Disease. — II. Development of Public Health.

The Rapporteur to the last Assembly laid emphasis on the fact that the powers of the Health Organisation are based on those of national health administrations. "Its first duty," he said, "is to combat disease; but it has also a positive task which is equally essential in helping national authorities to create conditions in which the standard of health may be consolidated and then further raised".

The work of the protection of health falls into two categories : one — which may be called negative — which aims at organising the campaign for the prevention of disease and in particular at preventing the spread of epidemics; the other, known as social medicine, which seeks to create general conditions of life favourable to the normal development and maintenance of the human organism.

This classification is no doubt somewhat artificial, for it is, after all, difficult to say just where preventive medicine ends and social medicine begins. The classification is a convenient one, however, for surveying the work carried out in 1938, since it fits in with the contingencies of *practical* action — all that the Health Organisation is concerned with — and brings out the growing importance of precautionary measures and social protection in the duties of bodies responsible for public health.

I. CAMPAIGN FOR THE PREVENTION OF DISEASE

(1) *Information concerning Epidemics and Contagious Diseases. Health Statistics.*

The fundamental task of the Health Organisation in this field is the *international dissemination of information necessary to national health services*, for, to provide protection against disease, it is essential to know from whence dangers arise. To call attention to the outbreak of epidemics, to supply information concerning the prevalence of contagious diseases, to provide a service of epidemiological intelligence and international health statistics — this is the permanent, regular and fundamental work of the Health Organisation.

This work was continued during 1938 by the same methods and with the same regularity as in the fifteen previous years. Information and health statistics are voluntarily supplied by Governments to the headquarters at Geneva or to its branch in the Far East, the Singapore Bureau. The messages broadcast in the East, the *communiqués* issued by cable, the bulletins and printed publications provide an indispensable source of information for the authorities in their fight against disease.

Furthermore, in order to make the fullest possible use of the international documentation collected by the Intelligence Service, the League from time to time publishes special monographs on diseases of international importance. Such studies are, in a manner of speaking, re-statements, showing the geographical incidence and development of special diseases over a recent period. In connection with the forthcoming European Conference on Rural Life, three studies of this kind are to be published, dealing with the diseases now prevalent in the rural areas of Europe — namely, typhoid, tuberculosis and brucellosis. On this subject, it should be mentioned that brucellosis and tuberculosis affect, not only human beings, but also live-stock, and therefore have economic consequences which cannot be ignored. The Singapore Bureau, for its part, gave in its annual report a general table of pestilential diseases in the Eastern seas in 1937.

(2) *Study of Technical Methods of Prophylaxis and Treatment.*

This, then — the spreading of information — is the first aspect of the Health Organisation's work; but the Organisation also carries out, for the benefit of health administrations, *studies on the technical methods of prophylaxis and treatment.*

(a) *Anti-malaria Drugs.*

In pursuance of this task, a report by the Malaria Commission, entitled "The Treatment of Malaria",¹ was published at the beginning of 1938. This work is the result of the Commission's investigations regarding the chief remedies for malaria. It contains a study of the action of quinine, atabrin and plasmoquine — in the various quantities and combinations in which they can be used — in individual treatment, collective treatment and prophylactic medicine. It is intended for the use of health administrations, and provides them with the technical information necessary for drawing up national schemes for combating malaria by the use of medicaments.

The question of malaria remedies is now to the forefront, since, with the discovery of the synthetic drugs which have been mentioned, medical science has no longer only quinine at its disposal for anti-malaria work. The Malaria Commission has itself prepared a formula and studied the use of a combination of quinine substitutes — namely, "totaquina". This drug has the advantage of being much cheaper than quinine, while its efficacy is similar. The use of this arsenal of drugs raises many technical, economic and social problems for the administrations of malarial countries. The report mentioned above has already made a great contribution to the solution of these problems, at least as regards the technical side. The Malaria Commission is, however, also preparing an international conference, the announcement of which has

¹ *Bulletin of the Health Organisation*, Vol. VI, No. 6.

been warmly welcomed in the different countries. This conference will enable Governments to take counsel together on the measures to be adopted to facilitate and develop treatment and prevention by the use of drugs.

(b) *Enquiry into the Results of Radiological Treatment of Cancer of the Cervix Uteri.*

In regard to cancer, the Health Organisation is making an enquiry into the effects of treatment by radium and X-rays of cancer localised in the *cervix uteri*. The object of that enquiry is to observe patients during a minimum period of five years after the conclusion of their treatment. The clinics and hospitals which are taking part in it forward statistics each year, and these are analysed by the Committee which is directing the enquiry and embodied in an annual report. The second report appeared in 1938.

The aim of the Committee is primarily to obtain a uniform presentation in statistical form of the results achieved, so as to be able to draw conclusions regarding the comparative value of the various methods of treatment.

(c) *Schistosomiasis.*

At the request of the Egyptian authorities, the Health Organisation carried out, in the second half of the year, a preliminary study on schistosomiasis, a disease which is very widespread in the Near East, in Asia, Africa and certain regions of Central and South America. The object of the study was to decide what are the possibilities of action by the organs of the League in regard to this disease. As a result of the enquiries, a programme of work has been drawn up which will be submitted to the Health Committee at its next session.

(3) *International Collaboration.*

As an organ of *international collaboration*, the Health Organisation is endeavouring to bring about some uniformity between the different countries in the matter of standards,

measures, technical terms and formulæ in use. Such uniformity is a necessary condition if the results of scientific research in the different countries are to be comparable and to be of full practical value.

(a) *Terminology of Malaria.*

The Health Organisation will shortly publish a glossary of the technical terms in use in malariology. In order to understand one another, people must speak a common language; but, at the present time, some medical terms are used in widely divergent senses, according to the country or school in question, and this gives rise to deplorable confusion. It is proposed that the international terminology which is being prepared should be used by all malariologists.

(b) *International Nomenclature of Diseases.*

In the same connection, there is already in existence an international nomenclature of diseases, which came into force at the beginning of this century, and is indispensable for the comparison of statistics of mortality and morbidity. This nomenclature is revised every ten years. The last revision, which was made in October 1938, was the work of the International Institute of Statistics and the Health Organisation jointly.

(c) *Unification of Pharmacopœiæ.*

The Health Organisation also gives technical assistance to the international Secretariat set up at Brussels for the unification of national pharmacopœiæ. A group of specialists held a first meeting in 1938, and selected certain drugs, especially galenical and heroic remedies, of which it was proposed to attempt the standardisation. A monograph is being prepared on each of these drugs. It will be suggested that these should be adopted by the National Committees on Pharmacopœiæ, and they will perhaps be of use at a later stage for an international pharmacopœia of heroic drugs.

(d) *Biological Standardisation.*

The question at issue here is that of therapeutic agents whose activity can only be measured by the biological method — that is, by tests carried out on the animal. Such substances are sera, glandular preparations, vitamins and various other remedies such as digitalis, arseno-benzine and insulin. The process of unification consists in first preparing standards of determined activity and units of assay, and then securing their adoption by the control laboratories in the different countries. In 1938, the work was concerned particularly with hormones.¹ Four hormones which originate in the pituitary gland or are produced during gestation have already been standardised, and it will soon be possible to deliver the standards for international use.

In the group of sera for combating gas gangrene — four types of which have been standardised — a standard was adopted for the Sordelli antitoxin which is in current use on the American continent.

With regard to tuberculin, it was found necessary, in order to allow of the more exact measurement of reactions in the diagnosis of tuberculosis both in human beings and in the bovine species, to establish a standard for purified tuberculin, in addition to the existing standard of old tuberculin.

(e) *Anti-narcotic Campaign.*

In 1938, the Health Organisation published details of two processes — one for determining the morphine content of samples of raw opium, the other for determining the cocaine content of coca leaves.

This work was undertaken at the request of the international bodies set up under the Conventions relating to the traffic in narcotic drugs. It is, in fact, essential that there should be a standard method, internationally adopted, for supervising the manufacture of morphine and cocaine.

¹ Up to the present, twenty-six therapeutic agents have thus been standardised. The standards are preserved and distributed by two important official institutions, one in Copenhagen and the other in London.

The method for use in connection with morphine, although an improvement on those which have hitherto been worked out, is still not entirely satisfactory, since it leaves room for a certain amount of error. The matter is being studied in several laboratories, and when these researches have borne fruit, it will be possible to improve the international method of assay.

(f) *Supply of Vaccine to China.*

The efforts of the organisation to encourage and develop international collaboration are sometimes of a more direct and concrete nature. It is open to Governments to call for the organisation's help, as the Chinese Government did in 1929. Since that time, collaboration between China and the Health Organisation has never been interrupted. In 1938, this collaboration was, owing to special circumstances, concentrated on a particular object — the anti-epidemic campaign which is described in another chapter of this book.¹ The following is an instance of international assistance which is worthy of note. In July 1938, the Chinese Government made an urgent request for six million doses of anti-cholera vaccine, to meet a threatened epidemic. Thanks to the disinterested help on which the Health Organisation was able to call, it procured, in less than a month, from the institutions and laboratories of thirteen countries, a free supply of more than eight million doses of vaccine. The United States of America alone gave three million doses, and Roumania and Turkey a million doses each.

(g) *International Course in Malariology.*

Another form of practical assistance to health administrations is the international course in malariology, which was held, as in previous years, at Singapore, from April 25th to June 4th. This course was attended by sixteen doctors sent by the anti-malaria services of the following countries : Australia, India, the Netherlands Indies, Indo-China, Malay,

¹ See the chapter on Technical Collaboration with China.

the Philippine Islands and Siam. The staff which conducted the courses included the Director of the School of Medicine and Pharmacy of Indo-China, the Chief of Services of the Anti-Malaria Commission in the Netherlands Indies, and an eminent malariologist from Hong-Kong.

II. DEVELOPMENT OF PUBLIC HEALTH

An improvement in the conditions of life brings with it health protection, since physical and mental fitness is dependent on suitable living conditions, especially during childhood and youth. At the request of health administrations, the Health Organisation has therefore been led to devote its attention to the chief factors of physical and mental fitness. These are nutrition, housing, physical training, and environment in rural areas. The Organisation's object is to assist national health services in obtaining a better knowledge of the needs to be met, to help them in devising solutions, and to guide and stimulate technical work towards practical ends.

(1). *European Conference on Rural Life.*

In 1938, the chief effort in this direction has been towards the preparation of the forthcoming European Conference on Rural Life, which is dealt with in another chapter of this volume.¹

(a) *Health Conditions in Rural Areas.*

The Conference will deal primarily with questions of economic and social protection, and its agenda will therefore include various items touching directly on health questions. The Health Organisation has been asked to prepare the technical documentation on these questions.

With regard to demographic questions and health conditions in rural areas, a memorandum will shortly be issued.

¹ See page 150.

This will give a general survey of the present situation in European rural districts, dealing with birth and death rates, infantile mortality, the prevalence of the principal diseases, etc.

(b) *Health Indices.*

The difficulty of obtaining an exact idea of the general position as regards health conditions in any given rural area is well known. The statistics of mortality and disease are notoriously inadequate, since they are unreliable; they further present the inconvenience of showing only the dark side of the picture. There are — or there should be — other more positive and reliable criteria. For this reason, the Health Organisation has for two years been making studies with a view to preparing a system of "health indices". The results of these studies have been tested by experiment, and have led to the preparation of a general report, which may be described as a collection of what are deemed to be characteristic data concerning the health of a community, and an outline of the enquiries to be set on foot to obtain the required details.

(c) *Diseases in Rural Areas.*

A series of special monographs will be prepared for the Conference, dealing with the chief diseases which affect European rural populations — namely, tuberculosis, typhoid and brucellosis.

(2) *Medical Social Policy.*

With regard to questions of medical social policy, the first task undertaken, towards the end of the first half of the year, was a preliminary investigation, involving the detailed study of the methods in use in certain typical countries for the development of health and the social protection of the peasantry. In October, a meeting was arranged of the persons in charge of medical social policy in the countries concerned, in order that they might have an opportunity of exchanging ideas on the questions which would be before the

1939 Conference. This meeting enabled the authorities to come to an agreement regarding the preparatory work to be carried out in each European country. It also made it possible to decide on the main lines of the general technical report, the drafting of which was completed on December 15th, 1938.

(3) *Nutrition.*

The Health Organisation will be able to make an important contribution to the work of the Conference in regard to nutrition. During 1938, its technical commission continued to carry out its programme of studies, which are gradually throwing light both on the essential rôle of the various nutritional elements in the development and maintenance of the human organism, and on the actual conditions existing with regard to nutrition in urban and rural districts. In a report published in the *Bulletin of the Health Organisation* for June 1938, the Committee gives fuller details of the minimum human requirements of protective foods; it also gives information, for the use of public bodies, on certain hitherto obscure aspects of nutritional science.

In the same report, the Committee prepared the ground for later surveys of dietary conditions to be carried out on one or more carefully selected groups of the population. If the results of such surveys are to be comparable, however, there must first be agreement as to the method to be followed. That is why the Commission prepared and adopted a textbook giving the guiding principles for the conduct of dietary surveys of the actual consumption of foodstuffs and the state of nutrition of the populations among which the investigations are to be carried out.

The delegates of the National Committees on Nutrition, who held their annual session at the end of October, examined this textbook and held a preliminary discussion on the organisation of concerted enquiries based on the principles laid down by the Technical Commission and co-ordinated by the Committee. Some countries proposed to conduct investigations of this kind early in 1939 in order that the results

might be available for the European Conference on Rural Life.

In addition, going beyond the scope of this Conference, the Technical Commission gave its attention to the special problems connected with nutrition in the East and in tropical countries generally.¹ It defined the special considerations which must be borne in mind, in particular the necessity for more detailed studies on the nutritional value of local foodstuffs and the prevalence of diseases directly or indirectly connected with defective nutrition. The first stage in approaching such a problem is to define its details, especially in regions where economic conditions, climate, the nature of the soil and the density of the population present special difficulties. The investigations, of which the Committee has traced the main lines, will probably be begun in 1939.

The Committee's attention was also drawn¹ to the fact that, at the present time, in Europe itself, there exist critical situations where the question is no longer one of defining the principles of national nutrition, but one of meeting a serious dearth of foodstuffs. This is especially the case among refugees. The Committee therefore drew up diets which are simple and very inexpensive, but which will nevertheless provide the essential elements of a nutrition adequate both as regards quantity and quality. The authorities concerned will thus be provided with data on which to base their plans of action, particularly in cases where the task to be performed is the maintenance of life among refugee populations with severely limited financial and material resources.

(4) *Housing.*

On the subject of housing, it will be recalled that the competent committee in 1937 published a report on the hygiene of heat exchanges and the campaign against noise.² This year, the Committee's studies were concerned with insolation

¹ Session held in August 1938.

² See *Bulletin of the Health Organisation*, Vol. VI, No. 4.

and natural and artificial lighting in relation to housing and town planning.

The problem is a highly complex one, for its examination calls for the collaboration of the biologist, the clinician, the ophthalmologist, the hygienist, the architect, the town-planning expert and the engineer. In addition, modern hygiene tends more and more to regard light as one of the essential factors exercising an influence on health and physical and mental fitness. The report of the Committee¹ covers the many different aspects of the problem. It enumerates the requirements of modern hygiene and gives a detailed analysis of the methods at the disposal of the architect and the town-planning expert for adapting their plans to the necessary conditions of insolation and lighting.

In preparation for the work of the European Conference on Rural Life, the Committee began, in 1938, to consider questions of *rural planning*, which forms the third part of its programme. Rural planning may be regarded as falling into three stages, according to whether it is a question of the district, the village or the dwelling-house. In regard to the district, the principal questions of health which arise are those of water supply and the disposal of sewage and refuse. At the second stage, the task is to plan the village in such a way as to ensure that there is space, air, light and sanitation, and to provide the services indispensable to social life — wash-houses, baths, playing-fields, communal centres, etc. Lastly, at the third stage, there arise the questions of providing healthy dwellings at a low cost and the sound planning of the annexes to the dwelling-houses, such as stables and sheds, wells, manure heaps, etc.

The Health Organisation has already full documentation on these questions. Mention may be made in this connection of its European Exhibition of Rural Housing, held in 1937. A meeting of experts took place in 1938, under the auspices of the Committee, with the object of drawing up the text of a report for the Conference on Rural Life. This report will be based on the results of a study tour which was undertaken by an eminent technical expert on rural engineering.

¹ See *Bulletin of the Health Organisation*, Vol. VII, No. 3.

(5) *Physical Training.*

The physiological bases for *rational physical training* as a factor in the development of bodily and mental fitness have not yet been accurately established. For this reason, the Health Organisation set out to discover what these bases are, in order to define the principles of physical training adapted to different ages which would ensure the maximum physical development, while avoiding the grave dangers of excess.

The Commission on physical fitness met in July 1938 to examine the results of the investigations already made into the physiological effects of physical exercise, to draw up a programme of studies to supplement those results, and to define the measurements and tests to be used for ascertaining physical fitness and form.

The Commission was able then and there to draw up a series of rules which should be followed by those who undertake physical training. In addition, it prepared a medical examination form to serve as a model for the compulsory medical examination of all who undertake physical training. But its principal work was the preparation of a programme, chiefly of laboratory research, the execution of which will be the task of the national committees on physical training.

CHAPTER X

EUROPEAN CONFERENCE ON RURAL LIFE

After the European Conference on Rural Hygiene, held in 1931, the Health Committee, which was asked to make preparations for the second Conference on Rural Hygiene for 1936, realised that the investigations of the health experts could not be left isolated, since the improvement of public health in rural districts is largely dependent on a parallel improvement in the conditions of existence : health factors are difficult to separate from economic, demographic and social factors. The Health Committee was thus led to propose, in 1936, that the second " Conference on Rural Hygiene " should be transformed into a " European Conference on Rural Life " as a whole.

In 1937, the Assembly approved this request and decided that the Conference should take place in 1939. At the Assembly's request, the Council set up a Preparatory Committee instructed to decide upon the agenda of the Conference and begin the preparatory work necessary. This Committee met in April at Geneva and drew up the agenda of the Conference, to which it appended comments showing the exact scope and limitations of the Conference.

The Committee considered that the Conference must retain its own particular character and that while economic problems should be taken into account as fully as possible, the work of the Conference must essentially be based on the direct and objective observation of the life of the peasantry.

The Committee also emphasised the fact that the Conference must aim not only at registering facts, but also at making progress, and that it is intended as a starting-point for systematic action by the public authorities in the direction of initiating, supporting and accelerating the material and

moral reconstruction of the conditions of life of the rural masses.

In accordance with the wish of the Assembly, the question of the restoration of agricultural prices will be placed on the agenda, together with questions relating to a decrease in cost prices and the organisation of sales and markets.

The European countries have shown a keen interest in the organisation of the Conference. Preparatory work in all countries is making good progress, and several Governments have set up national committees to prepare, for the use of the Conference, documentary information giving as vivid a picture as possible of the various forms of rural life in the different regions of Europe.

The raising of the standard of living of the peasantry, in matters of education, health and rural planning is of vital interest to all countries in Europe, even the most highly industrialised and most advanced. Certain regions are everywhere to be found where rural planning leaves a good deal to be desired. It is important to raise the standard of living in the countryside, and to bring it more into line with that of the towns. This might in some measure be instrumental in retaining in the villages the population which is now prone to abandon them.

Clearly, the problem of rural life is of even greater importance to the agricultural countries in Central and Eastern Europe. Indeed, in those countries, the raising of the standard of living of the peasantry is an urgent and vital question, closely bound up with the system of land tenure and land reform, the provision of credit facilities, and overpopulation of the countryside.

The Assembly hoped that the Conference would rekindle the interest which at the beginning of the world crisis was felt in the rather special situation of those countries which are endowed with a hard-working population, but are less rich in capital, and whose agricultural exports are hampered by barriers of all kinds. The smooth co-operation of these countries with those possessing abundant capital resources then appeared likely to contribute to the peaceful reconstruction of Europe. But for the economic crisis and the

subsequent international complications, these forces might have achieved important results. The Conference on Rural Life will be able to reaffirm the importance for the stability and development of Europe of the speedier economic reconstruction of those States.

On the proposal of the Spanish delegation, the Assembly expressed the desire that the Conference should also make a study of the methods to be adopted for the restoration of economic and social activity in the devastated agricultural regions.

CHAPTER XI

OPIUM

- I. — Application of the Opium Conventions. II. Situation in the Far East. — III. Preparatory work for a Conference to consider the Limitation and Control of the Production of Raw Materials. — IV. Drug Addiction. — V. Illicit Traffic. — VI. Other Work of the Advisory Committee. — VII. Work of the Supervisory Body. — VIII. Work of the Permanent Central Opium Board.

In its campaign against the abuse of opium and narcotic drugs, the League of Nations has, in particular, obtained in the course of the year positive results in regard to the application of Conventions and the preparation of a conference to consider the possibility of limiting and controlling the production of raw materials.

I. — APPLICATION OF THE OPIUM CONVENTIONS

In 1938, as a result of the ratification by Latvia, Albania and the Union of South Africa, the number of full *ratifications* of sovereign States parties to the Limitation Convention of 1931 rose to sixty-three. There was no change in the number of ratifications of the Hague Convention of 1912. With the accession of Haiti, the Geneva Convention of 1925 has now received fifty-four ratifications or accessions. The 1936 Convention for the Repression of the Illicit Traffic in Dangerous Drugs, which, before it comes into force, has to be ratified or acceded to by ten countries, has been ratified by only nine countries — namely, Belgium, Brazil, Canada, China, Greece, Guatemala, Haiti, India and Roumania. The Governments of France, Iran, the Netherlands, Poland, Switzerland and Uruguay have, however, stated that they intend shortly to ratify this Convention. The Assembly laid special emphasis on the importance which it attached

to the ratification of the 1936 Convention, which provides Governments with a new weapon for the campaign against the illicit traffic.

The majority of countries have now brought their *national legislation* into conformity with the opium Conventions and have made the necessary adjustments in their administration.

The *authorised manufacture* of dangerous drugs, which, together with the legitimate international trade, continues to be subject to strict control, approximated closely to the world's medical needs. The figures for 1936 in regard to the manufacture and consumption of the five principal drugs (morphine, diacetylmorphine, cocaine, codeine and dionine) were, as a whole, similar to those for the five preceding years. The quantity of lawfully manufactured drugs diverted into the illicit traffic was almost negligible.

Unhappily, side by side with lawful manufacture there exists *clandestine manufacture*, which supplies traffickers. Though in 1937 and the early months of 1938 there was a reduction in the volume of this traffic in some parts of the world, especially in America and Canada, it is continually increasing in the Far East, and reached its maximum in China.

II. — SITUATION IN THE FAR EAST

The information received on the ravages caused by the abuse of opium and narcotics in the Far East, and especially in China, continues to give rise to alarm, and the continuance of this position is likely to negative the results hitherto obtained by the League in its campaign against the drug traffic.

In the declarations made by the representatives of China, the United States, Egypt and Canada during the discussions of the Opium Committee this year, the conditions ruling in the Far East, particularly in China, were painted in gloomy colours.

In the light of these declarations, the situation may be resumed as follows :

Since last year, certain administrative changes have been introduced by the Chinese Government as a result of the continued hostilities.

Generalissimo Chiang Kai-shek has ceased to be Inspector-General for the Suppression of Opium. As a result of this, certain bodies, such as the Central Commission and the Opium Suppression Supervisory Bureau, which were formerly under the control of the Military Council, have come under the direction of the Ministry of the Interior and the Ministry of Finance respectively. The competence of these bodies remains unchanged.

The six-year plan for the suppression of opium in the territories not occupied by the enemy will continue to be strictly applied.

Of the seven provinces still authorised to cultivate the poppy, two have already suppressed such cultivation (Ningshia and Shensi); two have advanced the date of suppression by two years, from 1940 to 1938 (Kansu and Kweichow); two (Suiyuan and Szechuan) will have to suppress cultivation in 1939; and only one province (Yunnan) has postponed suppression for one year, from 1938 to 1939.

With regard to manufactured drugs, the hostilities have resulted in the flight of the Japanese and Korean traffickers, with considerable advantage to the territories not occupied by the Japanese troops. The development of military operations and bombardments from the air have, however, led to an exodus of several million refugees, among whom are a large number of registered opium smokers.

The events now taking place have seriously affected measures for the treatment of opium and drug addicts, many of the hospitals for the treatment of addiction, which numbered over a thousand, having had to be used for the treatment of war casualties.

An examination of the conditions in the territory occupied by the Japanese shows that in some districts licensed retailers have been obliged to abandon their trade, which has passed into the hands of illicit traffickers. Circumstances have necessitated the requisitioning of means of transport for military purposes, and opium can therefore not be transported

in conformity with the regulations. The illicit traffic has reaped the benefit of this situation.

In the northern, eastern and central districts of China, at Harbin, Mukden, Tientsin, Peiping, Tsinan, Nanking, wherever the Japanese are to be found, the production and consumption of opium or manufactured drugs is not only tolerated, but encouraged, and, whereas the Chinese Government has never failed to deal severely with clandestine manufacturers of raw morphine and other drugs, the Japanese authorities have obliged the inhabitants of the island of Quemoy near Amoy to cultivate the poppy and to set up a drug factory.¹

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It is reported that the civil government set up by the Japanese army in Hopei immediately began to concern itself with the control of narcotics. The laws of the Chinese National Government against opium and narcotics were rescinded. In northern China, the legal control of narcotic drugs has been suppressed since August 1937. This resulted in an increase in clandestine manufacture and the illicit traffic.

At Shanghai, outside the French Concession and the International Concession, control seems to have ceased, and the situation is disturbing. Enormous quantities of Iranian opium, amounting to thousands of chests, have arrived in the north of China and at Shanghai for the Japanese army and Japanese firms.

In Manchuria and Jehol, the regime established would seem to be designed for no other purpose than to secure to the monopoly the profits from the manufacture of drugs and from the trade in raw and prepared opium, since no provision is made for combating drug addiction and the distribution of narcotics. The opium sold openly, without restriction and without permits, comes, as in the past, from Korea. These exports amounted to 11,238 kg. in 1936, as against 1,899 kg. in 1933.

¹ Information given by the representative of China.

Lastly, the production of opium in 1937 in Jehol was estimated at three times that of 1936.

As to the manufacture of narcotic drugs in Manchuria and Jehol, the administration of the opium monopoly was stated to be maintaining at Mukden and Chengteh drug factories whose output far exceeded the medical requirements of those districts. The Mukden factory was reported to be producing from 75 to 100 kg. of morphine and heroin per day.¹

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The existence of a heroin and opium monopoly in "Manchukuo" is an accepted fact. In 181 towns in Manchuria and Jehol, there are 3,840 opium saloons and 8,400 heroin depots.²

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The effects of this situation are felt as far away as Canada and the United States, towards which the flood of narcotics from the Far East is directed. Hundreds of kilogrammes of heroin bought at Tientsin were transported to America.³

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The representative of Japan challenged the accuracy of these details and denied some of them.

He stated that as a result of the allegations made in the previous year in the Opium Advisory Committee, the Japanese Government had taken particular care to examine the situation in "Manchukuo", North China and elsewhere, in order, as far as possible, to improve the unsatisfactory conditions which had been brought to its notice.

He affirmed that the Japanese Government was prepared to assume responsibility for the acts of the Japanese in China and to exercise full control over them.

¹ Information given by the representative of the United States.

² Information given by the representative of Egypt.

³ Information given by the representative of Canada.

Reviewing the conditions existing in "Manchukuo", the Japanese representative observed that in 1937 his country had renounced its extra-territorial rights in "Manchukuo" and handed over the administration of the railway zone to the Government of that country. The "Manchukuo" Government was contemplating a ten-year plan for the complete suppression of the evils of opium and drug addiction. At the moment of bringing the new regulations into force, it had already expelled six thousand traffickers.

With regard to the situation in China, the representative of Japan drew attention to the magnitude of the problem of controlling the opium and drug traffic in that vast territory. This was further complicated by the existence of more than three and a-half million registered drug addicts at the end of 1936.

Both at Peiping and Tientsin, he explained, all the efforts of the Japanese authorities were directed towards the suppression of the illicit traffic and clandestine manufacture.

The Japanese representative also contested certain allegations which had been made. He categorically denied that the Japanese military authorities had encouraged the illicit traffic or the manufacture of drugs and that the army was implicated in cases of this kind.

As regards the supply of raw opium to "Manchukuo" by Korea, he remarked that for those Governments which had recognised "Manchukuo" the export of opium from Korea was a legitimate trade carried on in conformity with the provisions of international Conventions. As to the area under poppy cultivation in 1938, it was considerably less than in 1937.

Referring to the question of the manufacture of drugs by the administration of the opium monopoly, the Japanese representative pointed out that the administration was constructing a factory at Mukden for the production of prepared opium and certain opium alkaloids. In his view, it was incredible that that factory should produce 100 kilogrammes of drugs daily; the plant would only be finished towards the end of the year.

The Japanese representative emphasised that in considering the question of the manufacture of drugs in the north of China, sight must not be lost of the fact that that district was under a transitory regime.

He added that, while it recognised its obligations in regard to narcotic drugs, the Japanese Government considered that those obligations should be regarded in the light of the relations existing between Japan and "Manchukuo" and of the special situation in North China.

Finally, the representative of the Japanese Government affirmed that it was his Government's constant desire to improve the situation.

* * *

The Opium Committee could not but be affected by the deterioration of the position in the Far East. It adopted a resolution once more drawing the Council's attention to the gravity of the situation as revealed by the discussions which took place during its session. The resolution continues :

" The Committee . . .

" Requests the Council to ask the Governments concerned to take the most vigorous action with a view to remedying this situation ;

" Recommends that the Council should officially communicate to the Governments of China and Japan and to the other Governments concerned, through the Secretary-General, the Minutes of the Advisory Committee's discussions on the situation in the Far East and should request those Governments to transmit their observations on the facts brought to light by the discussions."

The Council in turn expressed once again its regret that year after year it should receive reports as to the extreme gravity of the situation in China, where no signs of improvement were apparent in spite of the fact that measures capable of remedying the situation had been announced. For this reason, while it readily understood the exceptional difficulties existing in China, it supported with its full authority the appeal made by the Advisory Committee.

The Assembly also associated itself with that appeal.

III. — PREPARATORY WORK FOR A CONFERENCE TO CONSIDER THE LIMITATION AND CONTROL OF THE PRODUCTION OF RAW MATERIALS

The world situation as regards the production and consumption of raw opium shows clearly the pressing need for international control of production. The Advisory Committee, therefore, sitting as a Preparatory Committee, drew up a definite statement setting forth the essential principles which should serve as a basis for the future convention. This statement also comprises a study of the methods of determining recognised world requirements of raw opium and a scheme for adapting the production of opium to those requirements.

This new stage in the drug campaign is a necessary sequel to the system of limiting the manufacture and controlling the distribution of dangerous drugs derived from opium or the opium poppy.

The production of opium is greatly in excess of the recognised requirements of the world, including the needs of Governmental monopolies in countries where opium smoking is practised. As far as opium is concerned, world needs amount to about 300 tons for the manufacture of drugs and preparations for legitimate medical use, about 300 tons for opium-smoking monopolies and about 500 tons for other non-medical legitimate needs; in all, about 1,100 tons.

Even leaving out of account the production of opium in certain regions, such as Afghanistan, for which recent figures are not available, and China, Manchuria and Jehol, which constitute a special problem, the annual world production amounted in 1936 to about 2,300 tons — that is, double the amount of the legitimate requirements. Furthermore, the stocks held in the producing countries in 1936 were estimated at the alarming total of about 3,500 tons.

In addition, in recent years a new technical development has taken place which adds to the complexity of the problem — namely, the extraction of opium alkaloids direct from the poppy plant (Hungarian process).

There are available for the manufacture of opium alkaloids two raw materials : raw opium and poppy straw. Any scheme of limitation must therefore cover both of these materials. A further difficulty arises from the fact that the opium poppy plant is also cultivated for the production of poppy seed as a foodstuff, with the oil of the plant as a by-product.

The essential principles which the Opium Advisory Committee considered must form the basis of any future convention on the limitation of opium production may be summarised as follows :

The substances covered by the convention would be raw opium and the poppy plant cultivated for the extraction of opium alkaloids.

The production of raw opium would be limited to legitimate world requirements, and a quantitative limit to cover those needs would be fixed annually.

As regards methods for effecting limitation, the Preparatory Committee suggested that the basic element — as in the drugs Limitation Convention of 1931 — would be a system of estimates by Governments of their annual requirements for the purposes recognised by the convention.

Governments of countries importing raw opium would assume the obligation to buy, in any year, the quantities covered by their estimates for that year.

The producing countries would supply estimates of their proposed production (area under cultivation), and would undertake not to produce for export more than the quantity allocated to them. The consuming countries would undertake to import only the quantities covered by their estimates.

The estimates of consumption and production thus obtained would be examined by an international supervisory authority, whose task it would be, on the basis of the estimates, to allocate to the producing countries the quantities to be produced and exported annually by them.

Certain producing countries, however — namely, Iran, Turkey and Yugoslavia — have declared that they are unable to accept direct limitation of the area under cultivation, and that they cannot, therefore, assume the obligation to

supply estimates of the area to be cultivated in any given year.

With regard to the problem of allocation between the producing and exporting countries of the quantities for export, the Preparatory Committee suggested that either a quota system or a free order system might be adopted.

Under the quota system, each producing country would be allocated in advance a fixed proportion of the total world requirements of opium for any given year. This proportion would represent, for each country concerned, its quota of the production, comprising : (a) its share in the total export trade of all producing countries (export quota); (b) the quantity of raw opium required for its domestic needs; (c) the quantity required for the replenishment of regulating stocks. A quota system universally adopted would assure to all producing countries a certain degree of stability as regards both production and export. The producing countries could count on a relatively stable market. They would therefore be able to stabilise production and to limit it in conformity with the quota allotted.

Under the free order system, Governments, in presenting estimates of their requirements of raw opium, would also specify the country from which they wished to purchase the opium. They would be assured of obtaining from that country the whole quantity required. The producing countries would be able to compete for orders. The effect of a free order system would probably be that the quantities of opium which each producing country would be asked to provide would vary from year to year. The producing countries would be allotted a varying share of the export trade, and this would necessitate frequent readjustment of the area under cultivation.

Another point of the proposed scheme would be that producing countries would undertake not to produce more than the amount allocated to them and not to export more than their export quota.

During the discussion of the matter by the Advisory Committee, some delegates suggested that a compromise might be reached between these two methods — for example,

the exporting countries would be authorised to export a quantity over and above the fixed export quota. This surplus, which would be limited to a percentage of the quota, would be taken from stocks.

Lastly, stocks would be limited to a fixed level both in producing and in consuming countries; they would act as a regulating factor as regards both quantities to be exported and quantities necessary for domestic consumption in the producing country itself. Existing excessive stocks would be reduced over a given number of years.

The convention would also include provisions for international control and national control in producing and consuming countries.

The Council was happy to take note of the conclusions reached by the Preparatory Committee. It authorised the Secretary-General to communicate those conclusions to Governments for observation, asking them to forward their replies in time for the Committee, at its next session, to draw up a definite plan for a convention, the necessity for which was becoming more and more evident.

IV. — DRUG ADDICTION

An important investigation was undertaken by the Opium Advisory Committee with a view to ascertaining the exact number of drug addicts in the different countries and studying the nature of addiction and possible methods of prevention and treatment.

In some countries, considerable progress has already been made. This is especially the case in the United States, where estimates showed that, ten years ago, there was one addict per thousand inhabitants, whereas the present figure is only two or three for every ten thousand inhabitants. In Canada, also, the number of addicts, which was estimated ten years ago at 8,000, is to-day only about 4,000. Similar information was received from Egypt: in 1930, there were 5,500 addicts in Egyptian prisons, whereas to-day there are only 300 — a reduction of 95%.

V. — ILLICIT TRAFFIC

In accordance with its yearly practice, the Opium Advisory Committee examined the report of the Sub-Committee on Seizures.

The main conclusions brought out by the report are worthy of note. In spite of signs of a reduction in the volume of the illicit traffic in some parts of the world, especially in the United States of America and in Canada, it cannot be said that the illicit traffic generally is decreasing. On the other hand, there are some facts which give cause for satisfaction: authorised manufacture and the legitimate international trade continue to be subject to strict control to such an extent that the quantities of lawfully manufactured drugs which escape into the illicit traffic are now almost insignificant. Furthermore, the increasingly close co-operation between Governments and police forces and their collaboration with the Advisory Committee, which is strengthened from year to year, have already had concrete results; and there is reason to hope that clandestine manufacture and the trade which it supplies will in their turn be more effectively dealt with.

VI. — OTHER WORK OF THE ADVISORY COMMITTEE

The Advisory Committee also gave attention during the year to details concerning the application of Articles 10 and 19 of the Convention of 1931;¹ to the standardisation of methods for determining the morphine content of raw opium and the cocaine content of coca leaves; and to the question of the delivery of narcotics to national ships touching at foreign ports. It took note of the revised list of drugs, preparations and proprietary medicines falling under the international Convention relating to narcotic drugs, and of a commentary on the 1931 Convention prepared by the League Secretariat.

As regards cannabis (Indian hemp), the Committee decided to collect documentation on the subject and make it available

¹ Article 10 deals with measures of reform relating to diacetylmorphine, and Article 19 with the obligation of showing on labels the percentage of "drugs" contained in preparations offered for sale.

to Governments, to study the dangers and effects of the use of this product, and to suggest methods of coping with the peril.

VII. — WORK OF THE SUPERVISORY BODY

The Supervisory Body set up under the 1931 Convention for Limiting the Manufacture and regulating the Distribution of Narcotic Drugs drew up the statement of estimated world requirements of dangerous drugs in 1939. This statement was communicated to Governments on November 23rd, 1938.

The statement contains all the information required under the Limitation Convention in respect of 177 countries and territories¹ (colonies, dependencies, protectorates, etc.), and in the course of its preparation the Supervisory Body had to examine the estimates for sixty-seven countries and 102 territories. The Supervisory Body also itself drew up the estimates for five countries and three territories for which none had been received.

An encouraging sign noted by the Supervisory Body at its recent sessions is the constantly growing number of countries who themselves supply estimates. For instance, in 1933, the first year in which the Convention was applied, only forty-nine countries submitted estimates; in 1938, this number had risen to sixty-seven countries. In 1933, estimates were received from eighty-three territories, and in 1938 from 102 territories.

The number of countries and territories in respect of which the Supervisory Body has to draw up estimates itself is continually decreasing: in 1933, the number was fifty-six (twenty-three countries and thirty-three territories), while in 1938 it was only eight (five countries and three territories).

A second mark of progress is the satisfactory form in which the estimates are communicated by Governments.

A third improvement is to be found in the fact that the estimates approximate more and more closely to the real

¹ This figure includes three countries and ten territories, the estimates for which, owing to the existence of a Customs union or a special regime, were included in those of other countries or territories.

needs of each country. A comparison between the estimates and the most recent statistics of manufacture and consumption of drugs shows that Governments are endeavouring to make their estimates according to their actual needs, with the result that the very considerable divergencies noted in the past between the estimates of Governments and the actual requirements of the countries tend to decrease.

In this connection, it is worthy of note that there was in 1937, in comparison with former years, a considerable decrease in the discrepancy between the total world estimates of the quantity of morphine necessary for conversion and the total quantity actually converted. This decrease is shown in the following table. The difference amounted to 53% in 1934, 44% in 1935, 26% in 1936 and only 12% in 1937.

	1934	1935	1936	1937
	Kg.	Kg.	Kg.	Kg.
1. Amounts estimated	32,979	31,298	34,930	36,244
2. Amounts actually converted	21,625	21,807	27,708	32,442
Difference between 1 and 2	11,354	9,491	7,222	3,802
Difference as a percentage	53 %	44 %	26 %	12 %

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In the course of its two sessions held in 1937, the Supervisory Body prepared a *Guide* for use in the preparation of estimates. This *Guide* gives, in a convenient form, for the use of national administrations, clear instructions on the preparation of estimates. It was distributed to Governments at the end of last year, and a number of Governments, in forwarding their estimates for 1939, informed the Supervisory Body that it had been of great assistance to them.

The purpose of the examination of estimates supplied by Governments is to ensure against over-estimation. The Supervisory Body is accordingly empowered to ask for information or details which it considers necessary in order to make the estimates complete or to explain any particular point in an estimate.

In 1938, the Supervisory Body found it necessary to ask for such information from the competent authorities of nine countries.

In 1934, enquiries of this kind had to be made from twenty-eight countries; in 1935, from twenty-three countries; in 1936, from eighteen in 1937; from eleven countries.

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The world requirements of drugs for 1939 have been estimated as follows : morphine, 42,136 kg., including the quantities necessary for conversion into other drugs, chiefly diacetylmorphine, methylmorphine (codeine) and ethylmorphine (dionine) (in 1938, 45,638 kg.); diacetylmorphine (heroin), 894 kg. (in 1938, 1,133 kg.); cocaine, 4,536 kg. (in 1938, 5,032 kg.); dihydrohydroxycodeinone, 227 kg. (in 1938, 249 kg.); dihydrocodeinone, 181 kg. (in 1938, 205 kg.); dihydromorphinone, 121 kg. (in 1938, 118 kg.); acetyldihydrocodeinone, 68 kg. (in 1938, 78 kg.); morphine-N-oxide (genomorphine), 7 kg. (in 1938, 6 kg.); thebaine, 665 kg. (in 1938, 561 kg.); methylmorphine (codeine), 28,357 kg. (in 1938, 29,921 kg.); ethylmorphine (dionine), 2,900 kg. (in 1938, 3,089 kg.).

VIII. — WORK OF THE PERMANENT CENTRAL OPIUM BOARD

The Permanent Central Opium Board is an independent organ set up by an international Convention. Each year, however, it submits a report to the Council of the League. The last report gives a review of the work of the Board during its first ten years of existence.

When it began its work, the Board operated by virtue of one single Convention, to which twenty-seven States were parties. Gradually the number of parties to this

Convention increased. At the present time, the Board's activities are regulated by two Conventions, to which there are sixty-three parties, not counting about 100 colonies or dependencies.

The Board received 1,531 sets of statistics for 1937, as compared with 1,021 for 1929. With the increase in its work due to the growing volume of information to be examined, the Board had to deal with numerous problems of methodology.

The information received covers the whole world with the exception of certain countries.

(a) *Manufacture during the Past Nine Years.*

The amount of drugs manufactured in licensed factories during the past nine years has been reduced to the quantity necessary for medical and scientific purposes. The manufacture of the most dangerous drugs, unconverted morphine, diacetylmorphine and cocaine, which at first diminished, has recently been more or less stable; on the other hand, the manufacture of the less dangerous drugs, codeine and ethylmorphine, has shown a tendency to increase. From this it can be concluded that the efforts of Governments, of the Board and of other international organisations, without affecting the supplies for medical requirements, have been successful in substantially restricting, in legitimate manufacture, those substances which present the greatest danger.

(b) *Manufacture, World Consumption and Stocks in 1937.*

World manufacture of morphine in 1937 amounted to 41,899 kg., an increase of 5,015 kg. over the 1936 figure. The greater part of this heavy increase, however, was used for conversion into codeine and ethylmorphine; a certain quantity was also put into stock, so that in reality world consumption actually decreased.

World manufacture of cocaine remained practically the same as in 1936. In that year, it amounted to 3,954 kg., as compared with 4,083 in 1937.

There has been a considerable reduction in the consumption of morphine in certain countries, especially the United States of America and the Union of Soviet Socialist Republics. Small reductions have taken place in India, France, Germany, Czecho-Slovakia, the United Kingdom and Yugoslavia, while in Japan and Roumania there has been an increase. There was no important change in the world consumption of the remaining principal drugs, except in the case of codeine. The world consumption of that drug, as calculated by the Committee, increased from 24,715 to 26,367 kg.

The statistics show that the world stocks of morphine and codeine increased by about a quarter — namely, from 7,671 kg. to 9,552 kg. for morphine, and from 8,075 kg. to 10,053 kg. for codeine. There was a slight increase in stocks of ethylmorphine. With regard to diacetylmorphine, however, it is difficult, owing to the fact that no figures are available regarding Italian stocks in respect of 1937, to draw any conclusions as to the quantities in stock, which appear to have fallen from 775 to 678 kg. Changes in stocks of cocaine were insignificant.

The increase noted in stocks of certain drugs seems to be due to anxiety caused by the political situation.

(c) *Imports.*

In 1937, there were seventy-five cases in which quantities imported exceeded those authorised by the Limitation Convention of 1931 by more than 25 grammes; in twenty-three of these cases, the situation was regularised later by the supply of supplementary estimates. In forty-four of the seventy-five cases, the excess imported did not appear until after the receipt of the returns for the fourth quarter of 1937 — that is, after the end of the year, and therefore too late to allow of the measures provided in the Convention being taken; in eleven of these cases, the quantity in excess was more than 1 kg. In all except six cases, however, the quantities in question were too small for the Board to consider it necessary to take steps to impose an embargo on exports.

CHAPTER XII

SOCIAL QUESTIONS

I. Administration and Organisation. — II. Child Welfare. — III. Traffic in Women and Children. — IV. Assistance to Indigent Foreigners. — V. Penal and Penitentiary Questions.

There was no slowing-down in the activities of the League in regard to social questions during 1938. The results achieved, both in regard to the suppression of the traffic in women and children and in regard to child welfare, show that further progress may be hoped for.

I. — ADMINISTRATION AND ORGANISATION

(1) *Composition of the Committee.*

The number of countries with representatives on the Advisory Committee on Social Questions was increased to twenty-three — namely : the United States of America, the Argentine, Belgium, the United Kingdom, Canada, Chile, China, Denmark, France, Hungary, India, Ireland, Italy, Japan, Mexico, the Netherlands, Poland, Roumania, Spain, Switzerland, Turkey, Uruguay, Yugoslavia.

In addition, the Council invited the following organisations, which had asked for admission, to collaborate in the work of the Committee for the same period as the other correspondent members : International Committee of Schools for Social Work, International Co-operative Women's Guild, Catholic International Union for Social Service, Permanent Committee of the International Conferences of Social Work, Associated Countrywomen of the World, International Association of Children's Court Judges.

(2) *Child Welfare Information Centre.*

The Child Welfare Information Centre, which has begun its work, collects new laws and administrative measures on child welfare and publishes them in its "Legislative and Administrative Series" of documents. It prepares a summary of annual reports from Governments. It communicates to the members and the authorities appointed by Governments as correspondents roneoed notes on questions of interest to them. It is preparing an international card-index of laws; that is to say, an index of the laws governing child welfare in force in all countries. It collects and classifies documentary material from the voluntary organisations, and, in close co-operation with the Library, is preparing a comprehensive bibliography. It also answers requests for information from Governments and private persons and organisations.

(3) *Liaison with Other Organisations.*

The close interconnection between questions of social work, health, labour and economic conditions makes it necessary that social services, health services and services for the protection of labour should be co-ordinated.

The Assembly, therefore, recognising the importance of close collaboration between the different League bodies dealing with these questions — with which may be included also the Committee on Intellectual Co-operation — stressed the advantages to be derived from a system of co-operation between those organisations, and asked the Council to determine the methods to be employed in establishing such co-operation.

(4) *"Review of Social Questions".*

The publication of a review of social questions had already been approved in principle by the Assembly in 1937. This year, the Assembly voted the necessary credits for putting this plan into effect. The review will give an account of the work of the League in the field of social questions.

II. — CHILD WELFARE

In several respects there has been an important development of welfare work among young people. In some countries, Governments are assuming fresh responsibilities and endeavouring to correlate health, social, economic and education services. This trend towards co-ordination is particularly striking in the branches of the social services proper and public health services, and results in some cases in a change in the activities of the voluntary organisations, since some of their functions are taken over by the Government or by local authorities. The voluntary organisations continue, nevertheless, to collaborate with the local authorities, while seeking other fields of activity, especially of an experimental nature.

(1) *Enquiry into the Placing of Children in Families.*

This enquiry is the fourth and last stage of the investigation undertaken by the Committee on Social Questions on the treatment of neglected and delinquent children. The study is not limited, however, to this particular group, but is extended to cover the whole problem.

The results of this enquiry have been published in two volumes, the first of which contains a general critical study of the principles adopted in the placing of children in families, while the second includes detailed descriptions of the placing of children in families in various countries.

(2) *Illegitimate Children.*

Various aspects of the question of illegitimate children had already been under study for several years when the Committee on Social Questions decided to resume the examination of the documentary material at its disposal. As a result of this decision, a report dealing especially with the legal aspects of the question was presented to the Committee, which submitted it to Governments for revision and completion.

The Committee also continued its study of the social aspects of the question.

(3) *Cinematograph.*

Recognising the importance of the influence of the cinema on the mental and moral development of young people, the Committee on Social Questions has given a good deal of attention to this subject. The two principal matters which it considered were how to protect children from harmful films and how to provide special performances with films suitable for the young.

No definite conclusions were reached, but the Committee felt that it was important to teach young people to discriminate between good and bad films, and to educate their taste for films of high quality.

(4) *Programme of the Future Work of the Committee.*

The Committee on Social Questions decided to place the three following new questions on its agenda : (a) the principles adopted in the organisation and administration of welfare work among the young, including social assistance ; (b) the training of persons engaged in social work ; (c) family desertion.

III. — TRAFFIC IN WOMEN AND CHILDREN

(1) *Ratification of Conventions.*

There has been further progress in the ratification of the international Conventions for the suppression of the traffic in women and children and the traffic in obscene publications. Forty-eight States have now acceded to the 1921 Convention for the Suppression of the Traffic in Women and Children, forty-six States to the 1923 Convention for the Suppression of the Circulation of and Traffic in Obscene Publications, and twenty-five to the 1933 Convention on the Traffic in Women of Full Age, which came into force on August 24th, 1934. The Committee hoped that further States would accede to the last-named Convention.

(2) *Rehabilitation of Adult Prostitutes.*

The Committee on Social Questions emphasised the importance of ensuring the widest possible circulation among public authorities, voluntary organisations and doctors interested in the question of its booklet on social service and venereal diseases, in which are recorded some of the results of the Committee's study on the rehabilitation of adult prostitutes. Another part of the study, dealing with the early lives of prostitutes, has been published, and the third and last part, on methods of rehabilitation, will shortly appear.

(3) *Prevention of Prostitution.*

The question of the prevention of prostitution raises important social and economic problems ; the study now being made by the Committee on Social Questions will therefore be restricted to measures of direct prevention and practical recommendations.

The Committee instructed its expert, Mr. S. Cohen, and the Secretariat to draw up a report on these lines. Dr. Kemp, of the University Institute of Human Genetics at Copenhagen, and Dr. Cavaillon, Inspector-General at the Ministry of Health in Paris, were requested to prepare the sections dealing respectively with physical and psychological factors and the reduction in the demand for prostitution.

The report will be considered by the Committee before its publication.

(4) *Suppression of the Exploitation of the Prostitution of Others.*

The Assembly was in favour of the convocation in 1940 of a conference for the conclusion of a convention for the suppression of the exploitation of the prostitution of others.

The object of this Convention is to fill the gaps left in the field of the traffic in women and children by the existing Conventions drawn up under the auspices of the League of

Nations (the 1921 Convention for the Suppression of the Traffic in Women and Children and the 1933 Convention for the Suppression of the Traffic in Women of Full Age). It aims at protecting adults of both sexes "against procurement for profit, even when the victims consent and are not taken abroad, and also against any other form of exploitation".

This draft Convention is the second stage in the evolution of the problem of the suppression of the exploitation of the prostitution of others. In 1936, a group of experts drew up a first draft, which was forwarded by the Council to Governments of States Members and non-members of the League in order to serve as a basis for study. Thirty-four States sent in their observations on the draft, and these were considered in April 1937 by the Advisory Committee on Social Questions. The Advisory Committee agreed that the question raised certain difficulties for countries in which prostitution was regulated. Since that time, a Sub-Committee has studied possible methods of obviating those difficulties. This Sub-Committee met in Paris in 1937 and prepared a revised draft, which was communicated to States with the request that they should send their observations on the draft before May 1st, 1938. The replies which have been received show that the majority of countries are, in principle, in favour of the conclusion of a convention. This approval is, however, accompanied in some cases by observations, most of which are not of a general nature, but refer to the various provisions contained in the draft.

With regard to the regulationist countries, the Assembly noted that some of these countries were considering or preparing legislation which would do away with certain obstacles in the way of their accession to the Convention.

(5) *Conference of Central Authorities
in Eastern Countries.*

In 1937, the Assembly, acting on a recommendation of the Conference of Central Authorities in Eastern Countries, held at Bandoeng in February 1937, decided on the creation of a bureau of the League in the Far East. This year,

however, the Assembly had to take note of the fact that circumstances had not allowed of this plan's being put into effect. After further discussion of the question, it invited the Advisory Committee on Social Questions to reconsider the proposal to create a Far Eastern bureau with a view to effects being given to the recommendations of the Bandoeng Conference.

IV. — ASSISTANCE TO INDIGENT FOREIGNERS

The Committee of Experts on Assistance to Indigent Foreigners, which had already prepared two draft multilateral Conventions on the subject, drew up a third draft in 1938, taking as a basis the replies of the Governments to a questionnaire on the practice actually followed by them in this matter. This third draft represents a compromise. The experts nevertheless came to the conclusion that, for the moment, a multilateral convention was unlikely to prove an effective international instrument. They therefore merely submitted to the Council the text of a model Convention which might be used as a basis in drafting multilateral or bilateral conventions. The model Convention is accompanied by a number of recommendations.

V. — PENAL AND PENITENTIARY QUESTIONS

In 1936, the Assembly asked the International Penal and Penitentiary Commission to enquire into the number of prisoners under eighteen years of age in the various countries and the steps that had been taken in recent years to reduce this number.

The information collected by the Commission shows that the number of prisoners varies, in different countries, from 0.5 per thousand to 2.5 per thousand of the total population.

The Assembly called the attention of Governments to these variations and recommended them to study the various methods suggested for reducing the number of prisoners.

In regard to the question of alien and stateless persons released from prison, the Assembly was of opinion that the problem should be examined on an international scale on account of the multifarious difficulties arising out of it with which no single State could deal. It considered, however, that it would be desirable, in the first place, to consult Governments on the question.

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The Assembly requested the Secretary-General last year to consult certain technical organisations on the measures which might be proposed for the protection of witnesses and persons awaiting trial against violence or other forms of physical or mental restraint. The International Penal Law Association, the Howard League for Penal Reform and the International Law Association submitted interesting observations on this subject.

The Assembly noticed that the study of the problem was not so far advanced that conclusions could be drawn at the present stage. It asked the Secretary-General to invite the technical organisations concerned to continue their inquiries in concert, so that next year they might be able to submit a joint memorandum summarising the various suggestions on this question.

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The Assembly tendered its thanks to the International Penal Law Association, the International Bureau for the Unification of Penal Law, the International Penal and Penitentiary Commission, the International Criminal Police Commission, the Howard League for Penal Reform and the International Law Association for their tireless co-operation.

CHAPTER XIII

REFUGEES

- I. New Organisation for International Assistance to Refugees. — II. Work of the Nansen International Office. — III. Work of the High Commissioner for Refugees coming from Germany.

The question of refugees has entered upon a new phase. On December 31st, the Nansen International Office and the office of the High Commissioner for Refugees coming from Germany ceased their activities, leaving their places to be filled by a High Commissioner, with headquarters in London, who will deal with the different categories of refugees who formerly came within the province of these two bodies.

Before its final closing, the Nansen International Office, in recognition of the eminent services it had rendered to the international cause and to humanitarian work, was awarded the Nobel Peace Prize for 1938.

At the beginning of the year, the number of refugees dependent on the Nansen Office was estimated at 600,000 and those dependent on the office of the High Commissioner at 30,000. Since that time, as a result of the situation created in certain countries by the racial policy followed, there has been a considerable increase in the second group, and the extent of this problem makes it one of the utmost gravity for Europe to-day.

I. — NEW ORGANISATION FOR INTERNATIONAL ASSISTANCE TO REFUGEES

The Assembly decided long ago that the Nansen International Office and the office of the High Commissioner for Refugees coming from Germany should wind up their activities on December 31st, 1938. This liquidation, however, will leave a problem still to be dealt with, since there are scattered throughout the world nearly half a million so-called "Nansen

refugees " who need help, and, in addition, the ever-growing number of refugees from Germany calls for special measures.

The Assembly therefore requested the Council to draw up a plan of international assistance to refugees in order to meet the situation which would arise on the disappearance of the two organisations created by the League. A scheme was prepared by a Committee consisting of the representatives of Bolivia, the United Kingdom and France, proposing the setting up for a limited period of a single organisation under the League's control and directed by a person to be appointed by the League.

This plan, after being submitted to Governments, was discussed and accepted by the Assembly at its last session, and Sir Herbert Emerson was appointed to the post of High Commissioner for a period of five years. The Assembly defined the duties and competence of the High Commissioner : he is in no way the legal successor of the institutions which were discontinued at the end of the year ; his appointment created a new situation entirely independent of that previously existing.

The following are the duties of the High Commissioner :

(a) To provide for the political and legal protection of refugees, as entrusted to the regular organs of the League by paragraph 3 of the Assembly's decision of September 30th, 1930 ;

(b) To superintend the entry into force and the application of the legal status of refugees, as defined more particularly in the Conventions of October 28th, 1933, and February 10th, 1938 ;

(c) To facilitate the co-ordination of humanitarian assistance ;

(d) To assist the Governments and private organisations in their efforts to promote emigration and permanent settlement.

The High Commissioner will keep in close touch with the Governments concerned and will maintain relations with the Intergovernmental Committee in London, set up by the Evian

Conference.¹ He will establish contact, in such manner as he may think best, with private organisations dealing with refugee questions. He will report to the Assembly annually upon his work.

The following are the financial arrangements which have been made as regards the office of the High Commissioner :

“ The grant from the League of Nations shall be appropriated for the High Commissioner's administrative expenses, including the emoluments of the Deputy High Commissioner, the staff and the representatives, if any. It may in no case be employed for the relief and settlement of refugees. It shall be fixed by the Assembly year by year.

“ The Commissioner may accept funds from Governments or private sources ; he may likewise accept any sums that may be offered to him by the Nansen International Office for Refugees.

“ He shall not himself directly provide assistance to refugees, but shall allot the aforesaid funds among such organisations and such official bodies, if any, as he may consider best qualified to administer such assistance.

“ The accounts in respect of these funds shall be periodically audited by the Auditor of the League of Nations.”

II. — WORK OF THE NANSEN INTERNATIONAL OFFICE

Although, in some countries, the living and working conditions of refugees have appreciably improved, the policy of protecting national labour has, in certain other countries, been accentuated.

In its last year of work, the Nansen Office continued its task and in some directions intensified its efforts ; for instance,

¹ An Intergovernmental Committee met at Evian from July 4th to 15th, on the proposal of the Government of the United States of America, to consider the question of international assistance to refugees.

it gave special attention to the question of vocational re-education and re-training of Russian, Armenian and Saar refugees. It considered that re-training was one of the best ways of giving assistance, since the specialised worker finds it more easy to obtain employment.

133,439 interventions were made by the Office and its correspondents on behalf of refugees. As in the past, this assistance covered the following points : obtaining Nansen certificates, entry and transit visas, legal assistance, action on behalf of refugees threatened with expulsion, exemption from restrictions imposed for the protection of national labour, admission to hospitals and State institutions, assistance with a view to occupational re-training, etc.

Thanks to a generous contribution made by the Office, a home for children was recently opened at Châtenay, near Paris, and a home for the aged at Nice. Rest homes for incurable persons have been helped ; medical attention has been provided ; and distributions of clothing and food have been made.

In Syria, the work of constructing dwellings for the Armenian refugees who were living in hutments is complete, at least as far as the Nansen Office is concerned. By the efforts of the Office, 40,000 persons have been settled and have acquired Syrian or Lebanese nationality.

The settlement of the Armenian refugees without shelter in Greece is taking place, and it will soon be possible to provide many families with simple but suitable houses on the land at New Smyrna generously placed at the Office's disposal by the Greek Government. More than 25,000 Armenian refugees have already found refuge in this country, whose Government, in spite of the fact that it had to face the problem of its own refugees, has given an example of solidarity that is worthy of admiration.

Lastly, the Nansen Office has also continued its efforts towards the settlement of Russian and Saar refugees.

With regard to the liquidation of the Office, all the necessary steps have been taken. A liquidator has been appointed to wind up the Office in consultation with the Managing Committee.

In thus bringing to a conclusion the activities of the Nansen Office, the Assembly paid a warm tribute to the tireless energy and devotion of the President of the Office, M. Hansson, and his collaborators.

III. — WORK OF THE HIGH COMMISSIONER FOR REFUGEES COMING FROM GERMANY

In 1937, the League Assembly, desiring to complete and consolidate the work done since 1936 in connection with refugees coming from Germany, instructed the High Commissioner to summon a Conference in 1938 for the adoption of an international convention.

This Conference met at Geneva from February 7th to 10th and proceeded to draft a Convention, the object of which was to ensure for refugees the possession of civil rights, freedom and ease of access to courts of justice, security and stability in regard to residence and work, the possibility of exercising professions and engaging in industry and trade, freedom of movement and admission to schools and universities.

Under the terms of the Convention, which consists of twenty-five articles, the following are considered as refugees coming from Germany : (1) persons possessing or having possessed German nationality and not possessing any other nationality, who are proved not to enjoy, in law or in fact, the protection of the German Government ; (2) stateless persons, not covered by previous Conventions or Agreements, who have left German territory after being established therein and who are proved not to enjoy, in law or in fact, the protection of the German Government.

Persons who leave Germany for reasons of purely personal convenience are not included in this definition.

The Convention deals with the rights of sojourn and residence, the issue and renewal of travel documents, administrative measures, the legal standing of refugees, labour conditions, industrial accidents, welfare and relief, industry, professional training with a view to emigration, taxation, and exemption from reciprocity.

The Convention, which has been signed by seven States and came into force on its ratification by Belgium and the United Kingdom, replaces the Provisional Arrangement of July 4th, 1936, for all the signatories. Some States who are not parties to these agreements are nevertheless applying them as far as possible. Such countries are Czecho-Slovakia, Sweden and the Union of Soviet Socialist Republics.

Soon after the conclusion of the Convention, the Council, as a result of the joining of Austria to Germany, had to deal with a new problem — that of refugees coming from the territory which was formerly Austria. It authorised the High Commissioner to interpret his mandate as including that category of refugees pending a decision of the Assembly on the subject. The Assembly, as mentioned above, entrusted future work relating to refugees from Germany and so-called “ Nansen refugees ” to a single organisation under the direction of a High Commissioner.

During the past year, the High Commissioner's office has established regular contact with Governments in order to facilitate formalities connected with emigration and to arrange for an increase in the number of refugees authorised to emigrate.

Thus, the Australian Government has authorised 500 Jews to emigrate annually to Australia, and 27,370 Jews will be admitted to the United States of America between June 1938 and June 1939.

The office of the High Commissioner has also maintained collaboration with the Evian Intergovernmental Committee and with Jews and other welfare organisations.

The Assembly took the opportunity, at the moment when the activity of the office of the High Commissioner was about to cease, of thanking Sir Neill Malcolm for the distinguished services he had rendered in carrying out the mission entrusted to him by the League for assistance to refugees.

CHAPTER XIV

TECHNICAL COLLABORATION WITH CHINA

I. Anti-epidemic Campaign. — II. Normal Technical Collaboration.

The Japanese invasion has imposed on the Chinese Government an enormous task, which has been complicated from the outset by the military operations, the position caused by the influx of populations fleeing before the Japanese invasion and the resulting increased danger of epidemics. The destruction of the National Ministry of Health and the Central Sanitary Station at Nanking has deprived the Government of some of the means of meeting this situation.

On September 27th, 1937, the Chinese Government drew the attention of the League Council to this position and asked that the plan of technical collaboration between China and the League might be extended and adapted to circumstances.

I. — ANTI-EPIDEMIC CAMPAIGN

In response to the Chinese Government's appeal, the Assembly voted a credit of two million francs for technical collaboration with China in the anti-epidemic campaign.

A special committee of the Health Committee, set up in accordance with the instructions of the Council, drew up a plan¹ for the immediate despatch to China of sanitary units to engage in the anti-epidemic campaign in certain provinces. Each unit was to consist, in principle, of a foreign epidemic commissioner, a sanitary engineer, a mobile anti-epidemic section with a foreign bacteriologist, and an isolation hospital with a foreign medical officer. Each unit was to have a motor-car, two ambulances and ten light lorries. The

¹ See *The League from Year to Year (1937)*, pages 207 et seq.

drivers for these might be found on the spot, but it was necessary to provide a foreign mechanic. Lastly, each unit must be able to call, according to its needs, on a general stock of sanitary and medical material which was to be under the control of an administrative official.

The units were placed under the orders of the Chinese authorities, who assumed responsibility for the execution of the plan. They left Europe in December 1937, taking with them sufficient medical supplies to enable them to begin work immediately. In addition, a stock of material and medical supplies was laid down at Hong-Kong.

Of the three units, the first was under the direction of Dr. Mooser (Swiss), the second under Dr. R. C. Robertson (United Kingdom) and the third under Surgeon-General Lasnet (French).

In addition, an anti-epidemic commission was set up, in accordance with the plan prepared at Geneva, consisting of the Head of the Chinese Health Administration, the League of Nations medical adviser to that administration, and the epidemic commissioners in charge of the three units. The task of this Commission was to ensure the necessary co-ordination between the units, the Chinese Administration and the League of Nations.

The three units arrived at their destination at the beginning of February and proceeded to get into touch with the authorities: the first unit was established at Sian, capital of the Shensi province, the second at Changsha, Hunan, and the third at Nanning, Kwangsi, in south-west China.

In each case the League unit, with the necessary Chinese medical and auxiliary staff, was incorporated in the local health administration, at the same time maintaining close contact with the Central Government through a Chinese medical officer. In this collaboration, every effort was made to meet all emergencies.

The Chinese Government on its side, established at Koei-Yang a school of medicine and a school for training auxiliary staff for health work. These institutions were to provide respectively for the training of five hundred medical students and five hundred auxiliary staff. The new school of medicine

was intended for students whose studies had been interrupted by the military operations.

The Chinese Government also set up about a hundred medical units which were to serve in rural districts or to endeavour to give both medical care and instruction in precautionary measures.

Further, the Chinese Red Cross has, since December 1937, organised forty units, each consisting of doctors and male and female nurses, which are intended to assist in the care of the wounded and refugees and to collaborate in prophylactic measures.

Lastly, considerable facilities and gifts of material were provided by the Governments of Denmark, the Netherlands, and the Netherlands Indies, the Danish Red Cross, the firm of Bayer in Germany, the Lord Mayor's Fund, the Peninsula and Oriental Steamship Company, the *Compagnie française des Messageries maritimes* and the firm of Jardine, Matheson and Company, Hong-Kong.

In general, it may be said that the work of the anti-epidemic Commission and the three units of the League has been satisfactory.

The essential task of the Commission was to assist the Chinese Government in its campaign against epidemics, to advise the Chinese health authorities regarding the organisation of the campaign, to assist and, if necessary, supplement the Chinese technical services, which might, owing to the exceptional circumstances, find themselves in difficulties, by making available to them the material with which the Commission was provided.

In this respect, the work of the units, the majority of whose staff is Chinese, has been extremely useful. It has made it possible to lay the foundations of an improved permanent health organisation, giving practical examples of the various elements which should go to make up such a service. It has led to improvements in the practical training of Chinese technical staff, who have been made familiar with modern scientific methods. It has helped to bring about a closer collaboration between the authorities and the central administrative services, both provincial and local. Lastly, it has

played a large part in stemming the epidemics, especially the serious cholera epidemic which broke out during the summer.

Private organisations, the Red Cross, the missions and other humanitarian institutions have not failed to give their support to the units of the League, and it is in close co-operation with these bodies and the Chinese authorities that an intensive campaign of propaganda on health questions has been carried on among the people, with excellent results.

These results, some of which will be seen more clearly in the future, would in themselves have been sufficient to justify the sending of the Commission to China. There have been, however, other more immediate and concrete results. The material and supplies with which the units were equipped enabled them to meet situations which would otherwise have been desperate and might have led to incalculable consequences. Widespread vaccination campaigns have been successfully waged against smallpox, typhus and cholera. Hundreds of thousands of persons have been rendered immune. More than three tons of quinine have been used in fighting malaria in the southern and central districts, where the ravages of that disease have long been widespread.

Each of the units set up hospitals for the isolation of patients suffering from contagious diseases and created laboratories which will become permanent and which are producing continually increasing quantities of vaccine and sera. These institutions provide a valuable opportunity for the Chinese staff to improve their knowledge.

The units were also faced with another serious problem — the health of refugees. The refugees arrived, completely destitute, often in compact bodies in districts which were suffering more and more from over-population and where it had not been possible to prepare any suitable accommodation for them; their reduced physical resistance rendered them more liable to disease; coming from infected regions, they were often germ-carriers and in most cases infested with vermin. The commissioners, therefore, were obliged to establish quarantine stations; centres for observation and isolation and for delousing; baths and showers; sanitary installations; to provide for a supply of drinking water;

and to ensure that the camps were maintained in a constant state of cleanliness.

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On July 11th, 1938, the Chinese Government made further requests for the continuation of the technical collaboration of the League, particularly in regard to the anti-epidemic campaign. The Assembly and the Council agreed that their efforts should be continued and inscribed in the League budget for 1939 a sum of 1,750,000 francs, which they considered should suffice to meet all needs.

As in the previous year, however, the Assembly requested a special committee of the Health Committee to study the question and submit a plan for the anti-epidemic work.

The plan which has been drawn up provides for a more elastic system to take the place of the three units operating in different parts of China. The new system takes account of changed circumstances, especially in the matter of communications and transport. In this way, the former system of mobile units has been transformed. Further, since the Chinese Government has created a large number of anti-epidemic units, the material assistance of the League units has no longer the same importance. On the other hand, the technical assistance of the League must be continued and even developed.

The arrangements made by the special Sub-Committee of the Health Committee and approved by the Supervisory Commission, therefore, provide for the Chinese Government's continuing to assume entire responsibility for the anti-epidemic work. The assistance of the League will consist in giving advice and support to the Chinese technical services, through technical officers working with the Chinese authorities under the same conditions as those formerly sent to China.

In general, the action of the League must be based on previous experience in the light of circumstances and local needs.

The Epidemic Commission, consisting of the head of the Chinese Health Administration, the League technical adviser and three commissioners selected from the staff sent by the League to China, will be maintained. Henceforward, its

task will be to draw up technical plans for the anti-epidemic work and to take all necessary decisions regarding the technical activities and the localities in which the staff sent out by the League is to work.

II. — NORMAL TECHNICAL COLLABORATION

The financial efforts made in the sphere of health work during 1938 did not result in the discontinuance of the technical collaboration which the League has afforded to China for a number of years in different forms.

The engineers placed at the disposal of the Chinese Government before the outbreak of hostilities are continuing their collaboration with the Government and are rendering services which are highly appreciated.

The Chinese Government gave proof of the value which it attaches to this collaboration by requesting that the engineers should continue their work in 1939. This request was granted by the Assembly.

Last year, a planning office attached to the National Economic Council was set up at Nanking. Two experts assisted in the organisation of the office. As a result, however, of the military situation and the employment on other work of the Chinese engineers who were attached to it, the office ceased its activities soon after its opening.

The expert on the organisation of co-operative societies, chiefly in the field of agriculture, whose contract had been terminated by mutual consent owing to existing circumstances, has been reappointed.

The Chinese Government also requested the technical collaboration of the League in another direction. It asked that the League should undertake the preparation of conservancy measures to meet the situation created by the Yellow River floods and should supervise the execution of this work. Owing to the general and technical conditions governing the present situation, however, it has not been possible, for the moment, to give effect to this request.

CHAPTER XV

MISCELLANEOUS

- . Financial Position. — II. 1939 Budget. — III. Contributions. — IV. Allocation of Expenses. — V. Disposal of the Surplus from the 1937 Budget. — VI. Staff Pensions Fund. — VII. Supervisory Commission.

I. — FINANCIAL POSITION

The financial situation of the League of Nations during the past twelve months (1937) has been as satisfactory as in the previous year, the period having closed with a surplus of 4,558,625 gold francs. This satisfactory position is due to three factors :

(1) The continued improvement in the payment of contributions, which, taking into account payment of arrears, amounted in 1937 to 103.03% of the total income budget (94.61% of this figure represented contributions in respect of the current year and 8.42% contributions in respect of previous years);

(2) Profits realised since the devaluation of the Swiss currency from the difference between the expenditure budget, which is shown in Swiss francs, and the income budget, which is shown in gold francs (these profits amounted to 2,991,071 gold francs for 1937, but as a result of the decision of the last Assembly to convert the total of the expenditure budget into gold francs at the actual parity of the two currencies, these profits will not recur);

(3) Economies realised by the administrations amounting to 1,567,554 gold francs.

This year, the Assembly was principally concerned to provide the League with the sums necessary for its working

and to ensure its financial stability by taking advantage of the present situation to increase the reserve fund.

II. — 1939 BUDGET

In the form in which it was submitted to the Assembly, the budget for 1939 amounted to 30,678,250 Swiss francs, or 1,595,001 Swiss francs less than that for the previous year, in spite of the inscription of a new credit for the expenses of the League's participation in the New York World's Fair. As a result of the supplementary subsidies voted during the Assembly, the budget was finally fixed at 32,234,012 Swiss francs.

The Assembly, determined to continue its policy of economy more actively than ever, came to the conclusion that the best method of achieving this object, while maintaining to the fullest possible extent the activities of the League, was to set up a special committee of independent persons to carry out a detailed examination of the standing charges on the budget. On the proposal of the representative of the United Kingdom, it therefore asked the Council to appoint a committee of five persons, including the Chairmen of the Supervisory Commission for 1938 and 1939 and a representative of the Governing Body of the International Labour Office, to carry out such an examination.

The Assembly also asked the Secretary-General and the Director of the International Labour Office to prepare their draft budgets for 1940 in the light of the recommendations which would be made by the special Committee.

III. — CONTRIBUTIONS

Although there has been an improvement as regards payment of contributions, the position cannot yet be considered as wholly satisfactory, since in 1937 eighteen States did not pay their contributions in full.

As a result of this situation, the Assembly renewed for one year the mandate of its Contributions Committee, which

consists of the following members : M. C. J. Hambro (Norway), Count Carton de Wiart (Belgium), M. Stefan Osuský (Czechoslovakia), Sir Frederick Phillips (United Kingdom) and Sir Ramaswami Mudaliar (India).

This Committee submitted proposals, which were accepted by the Assembly, concerning the contributions in arrear of Albania, Ecuador, and Guatemala. The decision regarding Paraguay, which had withdrawn from the League without making any payment of its contributions for some years, was postponed until next year.

The Assembly further took note of the opinion given by the First Committee (legal questions), in response to its request, on the question whether, in conformity with Article 1 of the Covenant, Austria must be considered a Member of the League of Nations during a period of two years from the date of receipt of the German Government's communication of March 18th, 1938.

This opinion was as follows :

" The First Committee finds that the German Government's letter to the Secretary-General of March 18th, 1938, is not a notice of withdrawal from the League of Nations within the meaning of Article 1, paragraph 3, of the Covenant.

" The obligation to pay contributions during two years is simply the consequence of the fact that a notice of withdrawal from the League under the above-mentioned provision leaves the State which gives such notice with the rights and obligations of a Member of the League during a period of two years."

The Assembly accepted this recommendation and removed Austria's contribution from future scales of allocation.

IV. — ALLOCATION OF EXPENSES

The present scale of allocation of expenses, which was adopted by the Assembly in 1936 for three years, will cease to be in force on December 31st, 1939. The Assembly therefore decided to appoint a Committee of twelve members to consider the question anew. The Committee consists of representatives of the following countries : Argentine, United

Kingdom, Canada, France, Greece, India, Iran, Latvia, Mexico, Netherlands, Norway, and the Union of Soviet Socialist Republics.

The Assembly recommended that the proposals made by several States concerning the data to be taken into account should be considered when the scale was revised.

V. — DISPOSAL OF THE SURPLUS FROM THE 1937 BUDGET

The surplus from the 1937 budget, amounting to 4,558,625 gold francs, has, in accordance with the Assembly's decision, been disposed of in the following manner :

	Gold francs
To the reduction of contributions for 1939	2,373,058.77
To the reduction of future contributions	1,060,209.78
To the Guarantee Fund	240,586.22
To the Reserve Fund	884,770.43
	<hr/>
	4,558,625.20

VI. — STAFF PENSIONS FUND

The Assembly noted that the position of the Pensions Fund was inherently sound. It made certain modifications in the rules concerning the age of admission of officials to the Fund.

VII. — SUPERVISORY COMMISSION

The Assembly appointed the following members of the Supervisory Commission : for the period ending December 31st, 1941, M. C. A. Pardo (Argentina), M. de Boisanger (France); for the period ending December 31st, 1940, M. Georges de Ottlik (Hungary).

CHRONOLOGY¹

- January 4th The Belgian and Spanish Governments agree to discontinue the proceedings instituted before the Permanent Court of International Justice concerning the Borchgrave case.
- January 8th Publication of *International Trade Statistics, 1936*, and *Balances of Payments, 1936*.
- January 20th-21st Seventy-sixth session of the Supervisory Commission (Chairman: M. J. RÉVEILLAUD, French).
- January 21st Statement by the Swiss Federal Council concerning the neutrality of the Swiss Confederation.
- January 26th The Permanent Court of International Justice is seized of an application by the Belgian Government instituting proceedings against the Bulgarian Government (case of the Electricity Company of Sofia and Bulgaria).
Hundredth session of the Council (President: M. ADLE, Iran).
The mandates of Professor Gilbert MURRAY (United Kingdom) and Professor J. T. SHOTWELL (American) as members of the International Committee on Intellectual Cooperation are renewed for three years.
Ireland and Yugoslavia are invited to be represented on the Social Questions Committee.
M. A. W. A. MEIJER (Netherlands) is appointed Trustee for loans issued under the auspices of the League of Nations (1924, Hungary; 1925 and 1927, Danzig) and M. H. A. VAN NIEROP (Netherlands) member of the International Loan Contracts Committee.
The Council accepts 350,000 Swiss francs from the Rockefeller Foundation to be used for the research work of the Financial Section and Economic Intelligence Service.

¹ Notes relating to events not directly connected with the activities of the League of Nations are printed in italics.

All meetings were held in Geneva unless otherwise stated.

January 27th

Declarations by the members of the Council on the occasion of the hundredth session of the Council.

The Council terminates the office of the representative of the Financial Committee accredited to the Hungarian Government.

Jonkheer VAN RYCKEVORSEL (Netherlands) and M. G. SCELLE (French) are appointed Judge and Deputy Judge respectively of the Administrative Tribunal.

January 28th

Statement by M. SADAK (Turkey) regarding the regulations drawn up by the Sanjak of Alexandretta Electoral Commission.

The Council places on the agenda of its next session the question of the date of the next meeting of the Bureau of the Disarmament Conference.

The Council decides in favour of the League's participation in the New York World's Fair in 1939.

A small Committee of Economists is instructed to study the documentation on the behaviour of tax systems.

The Financial and Economic Committees are authorised to invite the representatives of certain countries to come to Geneva to discuss questions relating to measures for increasing international trade and facilitating the abolition of exchange control.

The Council approves of the execution of a plan of action concerning malariology.

M. PODESTA-COSTA (Argentinian), Legal Adviser to the Secretariat, is appointed Under Secretary-General.

M. DE HALLER (Swiss) and M. SKYLSTAD (Norwegian), Directors of the Mandates and Minorities Sections, sign the declaration of loyalty.

Greece and Czecho-Slovakia are invited to be represented on the Opium Advisory Committee.

The mandate of M. DE MYTTEAERE (Belgian), Assessor to the Opium Advisory Committee, is renewed.

The Council appoints the members of the Committee of Experts for the Study of the Legal Status of Women.

Dr. René SAND (Belgian) is appointed associated member of the Health Committee.

Publication of the *Bulletin of League of Nations Teaching.*

January 29th	<p>The Council postpones until May its consideration of the action to be taken on the Assembly resolution of October 4th, 1937, relating to the application of the principles of the Covenant and the consultation of non-member States.</p> <p>Adoption of a new Statute for the Communications and Transit Organisation.</p> <p>The Council refers to a Committee of Three the study of the questions raised by the Assembly regarding assistance to refugees.</p> <p>A Committee is set up to examine the structure and functions of the Economic and Financial Organisation and the co-ordination of its work.</p> <p>A delegation and a small Committee of Economists are instructed to study economic depressions and to advise the Fiscal Committee respectively.</p>
January 31st	<p>The Council decides that, within the limits of the provisions adopted on May 29th, 1937, a Council Committee shall make the necessary modifications in the electoral regulations for Alexandretta; the date of the elections to be postponed.</p>
January 31st- February 2nd	<p>Meeting of the Committee for the Application of the Principles of the Covenant (Chairman : M. BOURQUIN, Belgian).</p>
February 2nd	<p>Unanimous adoption by the Council, with Peru and Poland abstaining, of a resolution recalling the Assembly resolution of October 6th, 1937, and inviting States Members to consider how far they can individually extend aid to China.</p>
February 7th-9th	<p>Twenty-seventh session of the Health Committee (Chairman : Professor J. PARISOT, French).</p>
February 7th-10th	<p>Conclusion by a diplomatic Conference (President : M. LOUDON, Netherlands) of a Convention concerning the status of refugees coming from Germany. The Convention is signed by the representatives of seven countries.</p>
February 12th	<p><i>Interview between Chancellor HITLER and Chancellor SCHUSCHNIGG at Berchtesgaden.</i></p>
February 14th-18th	<p>The Committee of Experts for Assistance to Indigent Foreigners and the Execution of Maintenance Obligations abroad (Chairman : M. DE VRIES, Netherlands) recommends the</p>

- Council to submit to Governments a revised draft model Convention.
- February 20th *Resignation of Mr. EDEN, Secretary of State for Foreign Affairs of the United Kingdom.*
- February 21st-22nd Meeting of the Special Committee on Contributions at Paris (Chairman: M. HAMBRO, Norwegian).
- February 28th Publication of *Draft Customs Nomenclature*.
- March 6th Ratification by Iraq of the Treaty for the demarcation of the frontier with Iran.
- March 7th The Council Committee prepares the final text of the regulations for the first elections in the Sanjak of Alexandretta.
- March 11th *The plebiscite proposed by the Austrian Government is cancelled.*
Entry of German troops into Austria.
- March 14th *Arrival of Chancellor HITLER at Vienna.*
- March 14th-17th Meeting of the Sub-Committee on Housing Statistics (Chairman: M. JAHN, Norwegian).
- March 17th *Note from Poland to Lithuania demanding the resumption of normal relationships.*
- March 18th The German Government communicates to the Secretary-General the text of a Law, dated March 13th, providing for the "return of Austria to Germany".
- March 19th Departure of a mission of the League of Nations Secretariat for Latin America.
Lithuania accepts Poland's conditions.
- March 21st Declaration by the Federal Council concerning the neutrality and independence of Switzerland.
- March 31st The United Kingdom Government informs the Secretary-General that it has addressed to the Powers signatory to the London Naval Treaty of 1936 and to the German and Soviet Governments notes informing them of its intention to exercise its right to depart from the provisions of the London Treaty and of the Anglo-German and Anglo-Soviet Naval Agreements of July 17th, 1937.
The United Kingdom adds that it has received a note in corresponding terms from the Government of the United States of America.

March 31st- April 5th	Extraordinary meeting of the Advisory Committee of Experts on Slavery (Chairman : M. MARCHAND, Governor of Colonies, French).
April 4th-7th	The Preparatory Committee for the European Conference on Rural Life (Chairman : M. A. WAUTERS, Belgian) draws up a detailed agenda for the Conference.
April 4th-10th	First session of the Committee for the Study of the Legal Status of Women (Chairman : Mr. H. C. GUTTRIDGE, United Kingdom).
April 5th-14th	Meeting of the Permanent Central Opium Board (Chairman : Mr. LYALL, United Kingdom).
April 9th	The United Kingdom Government requests that the question of the "consequences arising from the existing situation in Ethiopia" be placed on the agenda of the next meeting of the Council.
April 16th	<i>Signature at Rome of an Anglo-Italian Agreement.</i>
April 20th-25th	Meeting of the Special Committee for the Study of Signals at Level-crossings (Chairman : M. J. DE RUELLE, Belgian).
April 21st	Opening of the session of the Advisory Committee on Social Questions (Chairman : Dr. Estrid HEIN, Denmark).
April 22nd	Arrival in the Sanjak of Alexandretta of the Commission for the organisation and supervision of the first elections in the Sanjak (President : M. REIMERS, Norwegian).
April 24th	M. Conrad HENLEIN, at Karlovy Vary (Carlsbad), lays down in eight points the claims of the Sudeten Germans.
April 25th-26th	Meeting at Paris of the Executive Committee of the International Committee on Intellectual Co-operation (Chairman : Professor Gilbert MURRAY, United Kingdom).
April 25th-29th	Meeting of the Committee of Veterinary Experts set up to define the bases of an international Agreement to facilitate the trade in meat, chilled meat or prepared meat (Chairman : M. V. DROUIN, French).
April 25th-30th	Meeting of the Road Traffic Committee (Chairman : M. NORDBERG, Finnish).
April 27th	<i>Signature at London of an Anglo-Polish Naval Agreement based on the London Naval Treaty of 1936.</i>

- Resignation of Mr. Harold BUTLER, Director of the International Labour Office.
- Arrival at Jerusalem of the British Commission (Chairman : Sir John WOODHEAD) to enquire into the question of the partition of Palestine.
- April 28th-May 3rd Meeting of the Supervisory Commission (Chairman : M. RÉVEILLAUD, French).
- April 29th Memorandum by the Federal Council on Swiss neutrality.
- May 2nd-3rd Meeting in Paris of the Advisory Committee of Experts on the results of radiological treatment of cancer of the *cervix uteri*.
- May 2nd-5th Meeting in Paris of the Committee for the Revision of the Nomenclature of the Causes of Death.
- May 2nd-16th Oral proceedings at the Permanent Court of International Justice in regard to the preliminary objections lodged by the French Government in the case concerning phosphates in Morocco (Italy-France).
- May 4th Publication of *Money and Banking, 1937/38*.
- May 5th The Permanent Court of International Justice receives an application from the Belgian Government instituting proceedings against the Greek Government (case concerning the Société commerciale de Belgique).
- May 5th-7th Meeting of the Committee to consider the structure and functions of the Economic and Financial Organisation (Chairman : Mr. BRUCE, Australian).
- May 6th His Majesty HAILE SELASSIE I informs the Secretary-General that he is instructing M. TAEZAZ to represent Ethiopia at the Council table at the next Council session.
- May 9th Hundred-and-first session of the Council (President : M. MUNTERS, Latvia).
- May 9th-12th Meeting of the Technical Commission of Pharmacopœial Experts.
- May 10th M. TAEZAZ communicates to the Secretary-General a documentary statement on the situation in Ethiopia. Viscount HALIFAX (United Kingdom) informs the Council of the conclusion of an Anglo-Italian Agreement on April 16th, 1938.

The Council appeals to the Members of the League to give effect to the recommendations contained in previous resolutions of the Assembly and the Council on the subject of the Far East. It recalls that the use of toxic gases is a method of warfare condemned by international law.

May 11th

Statement by M. MOTTA on the Swiss Government's request for the re-establishment of the integral neutrality of Swiss territory.

The Council decides that the Bureau of the Conference for the Reduction and Limitation of Armaments shall meet during the session of the Assembly in September 1938.

The Secretary-General is instructed to invite certain States to send representatives of their national committees on nutrition to Geneva for exchanges of views.

The Council appoints Dr. Léonidès Andreu ALMAZAN (Mexican) President of the Intergovernmental Conference of American Countries on Rural Hygiene.

Dr. Carl NYHOLM (Swedish) is appointed member of the Fiscal Committee; M. U. A. J. BRUNSKOG (Swedish), Auditor of the League; and M. HAVELKA (Czecho-Slovak), Deputy Judge on the Administrative Tribunal.

May 12th

The President of the Council invites His Majesty HAILE SELASSIE I to the Council table for the examination of the question of the "consequences arising out of the existing situation in Ethiopia". The majority of the members of the Council state their opinion that it is for Members of the League to decide individually on their attitude to this question, in the light of their own situation and their own obligations.

The Council rejects by four votes to two, with nine abstentions, a draft resolution submitted by the Spanish Government inviting the States Members who voted in favour of the resolution submitted to the Assembly by the Sixth Committee on October 2nd, 1937, to envisage from the present moment the end of the policy of non-intervention.

May 13th

The Council approves the constitution of a Committee to co-ordinate the work of the Economic and Financial Organisation.

The French Government is entrusted with the task of convening a diplomatic Conference to examine a draft International Act concerning Intellectual Co-operation.

The Council proposes to those States which have either signed or acceded to the Convention for facilitating the International Circulation of Films of an Educational Character that a conference be convened at Geneva, immediately before the session of the Assembly, to consider the effects of the closing of the International Educational Cinematographic Institute on the application of that Convention.

Professor B. JOHAN (Hungarian) and Professor J. BALTEANU (Roumanian) are appointed members of the Health Committee. Substitute members are also appointed.

M. Hans HUNZIKER (Switzerland) is appointed member of the Communications and Transit Committee.

May 14th

The Council takes note of the intention of the Swiss Government not to take part in the application of sanctions in future, and declares that Switzerland will not be invited to do so.

The Council refers to the Assembly a request from the Chilian Government that the reform of the Covenant should be treated as urgent.

The opening of the Assembly is postponed from September 5th to 12th.

The Secretary-General is instructed to prepare a detailed plan for the organisation of future work for refugees, bearing in mind the expiry of the office of the High Commissioner for Refugees coming from Germany and the closing of the Nansen Office at the end of 1938. The High Commissioner for Refugees coming from Germany is instructed to interpret his mandate as covering refugees coming from Austria.

May 18th-20th

Annual Assembly of the General Advisory Health Council at Paris.

May 21st-22nd

Tension in the relations between the German Reich and Czecho-Slovakia.

May 22nd-25th

International Students Conversation at Luxemburg on "The Educational Mission of the University in the Modern World" (President: Professor N. BRAUNSHAUSEN, Luxemburg).

May 26th

The withdrawal of Guatemala takes effect.

June 2nd

Chile gives notice of withdrawal from the League.

June 4th

Mr. J. G. WINANT (American) is appointed Director of the International Labour Office.

June 7th-24th	The Advisory Committee on the Traffic in Opium and Other Dangerous Drugs sits as a Special Committee for the Preparation of a Conference for the Limitation of Poppy Cultivation (Chairman : Dr. W. CHODZKO, Poland) and afterwards holds its twenty-third session (Chairman : M. J. H. DELGORGE, Netherlands). It again draws the Council's attention to the gravity of the situation in the Far East.
June 8th-23rd	Meeting of the Permanent Mandates Commission (Chairman : M. P. ORTS, Belgian).
June 13th	Publication of <i>National Control of the Manufacture of and Trade in Arms</i> .
June 13th-18th	Oral proceedings at the Permanent Court of International Justice on the preliminary objections lodged by the Lithuanian Government in the case concerning the Panevezys-Saldutiskis Railway (Estonia-Lithuania).
June 14th	The Court declares that the Italian Government's application in the case concerning phosphates in Morocco is non-receivable.
June 17th-18th	Meeting of the Committee of Experts to make suggestions on the use of broadcasting in the cause of peace (Chairman : M. Julien CARN, French).
June 20th-25th	Meeting of the International Loans Contracts Committee (Chairman : M. MOREAU-NERET, French).
June 21st-24th	Meeting of the Permanent Central Opium Board (Chairman : Mr. LYALL, United Kingdom).
June 23rd-24th	Meeting at London of the Committee of Rapporteurs of the Malaria Commission (Chairman : Professor Ed. SERGENT, French).
June 24th	<i>Italy and Germany undertake to respect the neutrality of Switzerland.</i> Meeting at Paris of the Special Committee on Contributions (Chairman : M. C. J. HAMBRO, Norwegian).
June 27th	Meeting at Paris of the Supervisory Commission (Chairman : M. J. RÉVEILLAUD, French).
June 27th-29th	Meeting of a group of experts on the study of insolation and artificial and natural lighting.
June 29th	The Electoral Commission, having stopped the registration of electors on June 26th, leaves the Sanjak of Alexandretta and informs the Council that circumstances have prevented it from pursuing its work.

- June 29th-July 2nd Meeting of the Committee for the Study of Economic Depressions (Chairman : Sir Frederick PHILLIPS, United Kingdom).
- June 30th *Signature by the United Kingdom, France and the United States of America of the document bringing into force the safeguarding clause regarding the tonnage of battleships.*
- June 30th-July 2nd Twenty-eighth session of the Health Committee (Chairman : Professor J. PARISOT, French).
- July 1st Meeting of the Managing Committee of the Nansen International Office for Refugees (Chairman : M. M. HANSSON, Norwegian).
- July 4th-5th Meeting of the Mixed Committee to study the Question of Exchange Control (Chairman : Sir Frederick LEITH-ROSS, United Kingdom).
Meeting of the Liaison Committee of Major International Associations (Chairman : Mgr. BEAUPIN, French).
- July 4th-9th The Economic Committee (Chairman : M. VAN LANGENHOVE, Belgian) makes recommendations for the improvement of the economic and financial situation.
Meeting of the Financial Committee (Chairman : M. POSPIŠIL, Czecho-Slovak).
Meeting of the Committee of Statistical Experts (Chairman : M. HUBER, French).
- July 6th-15th An Intergovernmental Committee meets at Evian on the initiative of the United States of America (Chairman : Mr. Myron C. TAYLOR, American) to consider how to facilitate the settlement of political refugees from Germany (including Austria). It recommends the setting up of an intergovernmental committee which will maintain close co-operation with the League of Nations.
- July 5th *The London Non-Intervention Committee unanimously accepts the United Kingdom plan for the withdrawal from Spain of non-Spanish combatants.*
- July 6th-7th Meeting of the Advisory Committee for the Teaching of the Principles and Facts of International Co-operation (Chairman : Professor Gilbert MURRAY, United Kingdom).
- July 6th-8th Meeting of Rapporteurs of the Physical Education Commission (Chairman : Dr. H. LAUGIER, French).

July 8th	Meeting of the Executive Committee of the International Committee on Intellectual Co-operation (Chairman : Professor Gilbert MURRAY, United Kingdom).
July 9th	Publication of the <i>Statistical Year-Book of the League of Nations, 1937/38</i> .
July 10th	The withdrawal of Honduras from the League takes effect.
July 11th-12th	Meeting of the Co-ordination Committee on Economic and Financial Questions (Chairman : Mr. S. M. BRUCE, Australian).
July 11th-16th	Meeting of the International Committee on Intellectual Co-operation (Chairman : Professor Gilbert MURRAY, United Kingdom). The Committee adopts a number of resolutions, including a programme of work for 1938/39.
July 12th	Venezuela gives notice of withdrawal from the League.
July 15th	Meeting of the Governing Body of the Institute of Intellectual Co-operation (Chairman : M. E. HERRIOT, French).
July 16th	Publication of the <i>Review of World Trade, 1937</i> .
July 21st	<i>Signature by Bolivia and Paraguay at Buenos Aires of a Treaty of Peace and Friendship and on frontier questions, bringing the Chaco dispute to an end.</i>
July 25th-27th	First session of the Committee of Experts for the Codification of Road Law (Chairman : M. C. WALCKENAER, French).
July 26th	<i>The United Kingdom Government decides to send Lord RUNCIMAN to Prague to assist in the negotiations concerning the situation of the Sudeten Germans.</i> <i>The Spanish Government, with some reservations, accepts the United Kingdom plan for the withdrawal of volunteers.</i>
July 30th	The Sanjak of Alexandretta Electoral Commission makes its report to the Council.
July 31st	<i>Signature at Salonika of an Agreement between the countries of the Balkan Entente and Bulgaria permitting Bulgaria to re-arm.</i>
August 1st-5th	Twenty-first session of the Communications and Transit Committee (Chairman : Mr. D. W. KEANE, United Kingdom).
August 3rd	Meeting in London of the Intergovernmental Committee to consider the question of refugees

from Germany and Austria. The Committee decides to invite the League of Nations High Commissioner for Refugees to take part in its deliberations whenever questions concerning the admission of voluntary emigrants to countries of refuge and settlement come up for discussion.

- August 11th-16th Consultation of Experts on the Standardisation of Hormones (Chairman : Sir Henry DALE, United Kingdom). Standards for four more hormones are established.
- August 15th *The Burgos Government accepts, with reservations, the United Kingdom plan for the withdrawal of foreign volunteers.*
- August 17th Publication of a memorandum on *Measures of a National or International Character for raising the Standard of Living.*
- August 22nd-24th The Sub-Committee of the Technical Commission on Nutrition (Chairman : Sir E. MELLANBY, United Kingdom) considers conditions special to tropical or sub-tropical countries.
- August 23rd *Hungary and the Little Entente conclude an Agreement permitting Hungary to re-arm.*
- August 23rd-27th Meeting of the Permanent Central Opium Board (Chairman : Mr. LYALL, United Kingdom).
- August 24th Publication of *World Production and Prices, 1937/38.*
- August 25th Report by the Secretary-General on assistance to refugees.
- August 29th-September 2nd Thirteenth session of the Supervisory Body set up under the 1931 Drugs Limitation Convention (Chairman : Sir Malcolm DELEVINGNE, United Kingdom).
- September 5th *Opening of the National-Socialist Congress at Nuremberg.*
The French Government takes precautionary measures as a result of German military arrangements on the French frontier.
- September 6th *Publication of the text of the Czecho-Slovak Government's proposals to the Sudeten Germans.*
Publication of the World Economic Review, 1937/38.
- September 7th *The Sudeten Germans break off negotiations with the Czecho-Slovak Government.*
- September 9th Hundred-and-second session of the Council (President : Mr. JORDAN, New Zealand).

- Appointment of : M. FRÈRE (Belgian), Trustee of the Austrian Government International Guaranteed Loan (1933-1953), and of the Austrian Government Guaranteed Conversion Loan (1934-1959); M. ALLAHYER SALEH and M. SAYID UMAR NADHMI (Iranians), corresponding members of the Fiscal Committee; M. Louis BAUDIN (French), member of the Committee on the Behaviour of Tax Systems.
- The mandates of M. DEVEZE (Belgian) and M. DE TOMCSANYI (Hungarian), judge and deputy judge respectively on the Administrative Tribunal, are renewed.
- New offers by the Czecho-Slovak Government to the Sudeten Germans.*
- September 10th-12th Meeting of a Conference (President : M. BOURQUIN, Belgian) to consider the effects of the closing of the International Educational Cinematographic Institute at Rome on the application of the 1933 Convention.
- September 11th The Chinese Government demands the immediate application of Article 17 of the Covenant.
- September 12th Opening of the nineteenth ordinary session of the Assembly. Forty-nine States are represented. M. DE VALERA (Ireland) is elected President.
- Adoption of a *Procès-verbal* concerning the application of Articles IV, V, VI, VII, IX, XII and XIII of the Convention of October 11th, 1933 for facilitating the international circulation of films of an educational character.
- In a speech at Nuremberg Chancellor HITLER demands self-determination for the Sudeten Germans.*
- September 13th *Martial law is proclaimed in eleven districts of Czecho-Slovakia.*
- September 15th *Interview between Mr. CHAMBERLAIN and Chancellor HITLER at Berchtesgaden.*
The Czecho-Slovak Government dissolves the Sudeten German Party.
- September 17th The Council supports the appeal made by the Advisory Committee on the Traffic in Opium to the Governments concerned to take steps to put an end to the serious state of affairs existing in certain parts of China with regard to the traffic in drugs.
- Appointment of Dr. N. M. GOODMAN (United Kingdom) member of the Health Committee and M. GRIMPRET (France) member of the Communications and Transit Committee.

- The Council sets up a group of experts to draw up a report on health indices and a sub-committee to facilitate the work of the international unification of pharmacopœia.
- The Council convenes for April 1939, at Geneva, an International Conference on the Unification of Signalling at Level-crossings.
- September 18th M. DALADIER and M. BONNET have an interview at London with Mr. CHAMBERLAIN and Lord HALIFAX.
- September 19th The Council addresses a telegram to the Japanese Government inviting it to comply with the obligations imposed on League Members by paragraph 1 of Article 17 of the Covenant.
- September 20th The Spanish Government asks for the technical assistance of the League in the study of measures for providing food supplies for three million refugees during the coming winter.
- September 21st The Dominican Republic, Greece and Yugoslavia are elected non-permanent Members of the Council.
- M. J. NEGRIN (Spain) requests the immediate setting-up by the Council of an International Commission to verify the withdrawal from Governmental Spain of non-Spanish combatants.
- The Czecho-Slovak Government accepts the Franco-British proposals regarding the Sudeten problem.*
- M. LITVINOFF (U.S.S.R.) declares before the Assembly that his country will fulfil her engagements towards Czecho-Slovakia.
- The Polish Government claims the same treatment for the Polish minority in Czecho-Slovakia as that claimed for the German minority.*
- September 22nd Iraq signs the Protocol of Signature of the Statute of the Permanent Court of International Justice, the Protocol concerning the accession of the United States of America, and the optional clause of Article 36 of the Statute of the Court.
- The Assembly expresses its appreciation of the action of the mediating States in the restoration of peace in the Chaco and of the part played by M. SAAVEDRA LAMAS and M. CANTILO.
- The Japanese Government declines the Council's invitation to comply with the obligations of Article 17 of the Covenant.

- The Hungarian Government claims from the Czecho-Slovak Government equality of treatment for the Hungarian minority.*
- September 22nd-23rd *Interview between Mr. CHAMBERLAIN and Chancellor HITLER at Godesberg.*
- September 23rd *The Assembly renews the mandate of the Commission of Enquiry for European Union for 1939.*
General mobilisation in Czecho-Slovakia.
- September 24th *A German memorandum is forwarded to Prague through the Prime Minister of the United Kingdom.*
New categories of reservists are called to the colours by the French Government.
- September 25th *The Czecho-Slovak Government declares that it cannot accept the demands of the Reich.*
The Foreign Office announces that the United Kingdom will be at France's side should the latter intervene in a case of German aggression against Czecho-Slovakia.
- September 25th-26th *Anglo-French Conference at London.*
- September 26th *M. ERICH (Finnish) is elected Judge of the Permanent Court of International Justice.*
The Assembly approves the proposals of the diplomatic Conference which met from September 10th to 12th to entrust to the International Committee on Intellectual Co-operation the functions devolving on the International Educational Cinematographic Institute under the 1933 Convention.
Message from President ROOSEVELT to President BENEŠ and Chancellor HITLER.
Speech by Chancellor HITLER : If the claims of the Sudetens are not accepted by October 1st, Germany herself will undertake the deliverance of the Sudetens.
- September 27th *Broadcast message by Mr. CHAMBERLAIN.*
Mobilisation of the British fleet.
- September 28th *Hundred-and-third session of the Council (President : M. GARCÍA-CALDERÓN, Peru).*
The Assembly passes a resolution expressing the hope that no Government will attempt to impose a settlement by force and welcoming with the greatest satisfaction the action taken by the President of the United States of America.
Meeting of the Malaria Commission at Amsterdam (Chairman: Professor E. SERGENT, French).

New appeal from President ROOSEVELT to Chancellor HITLER.

Meeting of the British Parliament: Mr. CHAMBERLAIN announces that the heads of the United Kingdom, French, German and Italian Governments will meet the next day at Munich.

September 29th

The Assembly :

Decides to meet every year on the Monday which falls in the period September 10th to 16th inclusive ;

Associates itself with the appeal made by the Council that steps should be taken to put an end to the state of affairs existing with regard to the drug traffic in the Far East ;

Invites the Council to determine the methods to be employed in organising a system of permanent co-ordination between the Social Questions Committee and the Health Organisation ;

Invites the Social Questions Committee to reconsider the proposal to create a Bureau in the East ;

Expresses itself as in favour of the convocation in 1940 of a conference for the conclusion of a Convention for suppressing the Exploitation of the Prostitution of Others.

Urges Governments, when considering the measures to be adopted to stimulate economic activity, to ensure that those measures should not create disturbances in other countries, and to take all possible steps to promote international trade and all appropriate measures towards the relaxation of exchange control ;

Instructs the Council to set up a Committee of Experts for the study of demographic problems ;

Fixes the number of seats on the new Communications and Transit Committee at eighteen.

Conference at Munich between Mr. CHAMBERLAIN, M. DALADIER, Chancellor HITLER and M. MUSSOLINI.

September 30th

The Council :

Noting Japan's refusal of its invitation, recognises that the provisions of Article 16 are applicable to Japan ;

Invites the States represented on the Council and on the Far-East Advisory Committee,

having representatives in China, to investigate cases of the use of poison gases ;

Decides to send to Spain a Commission to note the measures for the withdrawal of non-Spanish combatants and sets up a Committee of Three to constitute and direct the working of this Commission ;

Instructs the Secretary-General to institute an enquiry into the question of supplying food to the refugees of Spain ;

Postpones the meeting of the Bureau of the Disarmament Conference ;

Renews the composition of the Permanent Central Opium Board ;

Appoints Yugoslavia Member of the Council Committee for Technical Collaboration with China ;

Appoints Professor M. LOPEZ PUMAREJO (Colombian) and Lieut.-Col. FERNANDES (Portuguese) member and corresponding member respectively of the Economic Committee ;

Appoints Yugoslavia and Peru Members of the Committee for the Settlement of the Assyrians of Iraq.

The Assembly :

Adopts a report noting that, as regards the economic and financial measures contemplated under Article 16 of the Covenant, many States Members have stated that they cannot consider themselves bound automatically to apply such measures in any conflict ;

In regard to the question of the so-called separation of the Covenant from the Peace Treaties, adopts a resolution entailing amendments to the Preamble and to Articles 1, 4 and 5 of the Covenant ;

Declares that any comment or suggestion which States non-members might care to make with a view to the development of technical and non-political collaboration with the League would be welcomed by the League ;

Reaffirms that the use of chemical or bacteriological methods in the conduct of war is contrary to international law, and leaves it to the Bureau of the Disarmament Conference to undertake the necessary work for the establishment of regulations specially adapted to air warfare ;

Recommends that the Committee of Investigation sent by the United Kingdom Government.

to Spain to examine cases of bombing from the air of civilian populations shall send copies of its reports to the Secretary-General;

Decides on the appointment of a High Commissioner to deal with refugees hitherto coming under the Office of the High Commissioner for Refugees coming from Germany and the Nansen International Office. Sir Herbert EMERSON (United Kingdom) is appointed High Commissioner;

Passes the budget of the League and requests the Council to appoint a Committee of five members to recommend what economies can be carried out in the budget of the Secretariat and the International Labour Organisation;

Noting that the German Government's letter of March 18th, 1938, is not a notice of withdrawal from the League, removes the contributions of Austria from the scale of allocation;

Votes a credit of 1,200,000 francs for the participation of the League in the New York World's Fair;

Appoints M. A. PARDO (Argentinian), M. DE BOISANGER (French) and M. DE OTTLIK (Hungarian) members of the Supervisory Commission.

Adjournment of the nineteenth ordinary session of the Assembly.

At Munich, the four Powers decide on the arrangements for the cession of Sudeten territory to Germany.

The Czecho-Slovak Government accepts these arrangements.

Signature of an Anglo-German declaration.

October 1st *The Czecho-Slovak Government accepts the Polish demands.*

October 1st-8th *Meeting of the Committee of Three to constitute an International Commission to verify the withdrawal from Spain of non-Spanish combatants.*

October 1st-10th *Occupation by German troops of the zones of Sudeten territory ceded to Germany.*

October 2nd *The Czecho-Slovak Government accepts the principal claims of Hungary.*

October 2nd-11th *Occupation of the region of Cieszyn (Tesin) by Polish troops.*

October 6th	Publication of a volume on <i>Prostitutes, their Early Lives</i> .
October 9th-27th	Enquiry in Spain by Sir Denys BRAY and Mr. Lawrence WEBSTER into methods of supplying food to the refugees.
October 12th-15th	Twenty-ninth session of the Health Committee (Chairman : Professor PARISOT, French).
October 14th	Meeting at Perpignan of the Commission instructed to verify on the spot the measures taken by the Spanish Government for the withdrawal of non-Spanish combatants.
October 17th-21st	Meeting of the Fiscal Committee (Chairman : Mr. Mitchell B. CARROLL, American).
October 24th-28th	Meeting of delegates of the national committees on nutrition (Chairman : Dr. R. E. WOODHOUSE, Canada).
October 24th-31st	Fourteenth session of the Supervisory Body set up under the 1931 Drugs Limitation Convention (Chairman : Sir Malcolm DELEVINGNE, United Kingdom).
October 24th- November 8th	Thirty-fifth session of the Permanent Mandates Commission (Chairman : M. Pierre ORTS, Belgian).
October 27th-29th	Meeting of the Permanent Committee on Arts and Letters, at Nice (Chairman : M. Paul VALÉRY, French).
November 1st-7th	Thirty-seventh session of the Permanent Central Opium Board. Mr. L. A. LYALL (United Kingdom) resigns the chairmanship.
November 2nd	<i>At Vienna, the German and Italian arbitrators fix the new Hungarian-Czecho-Slovak frontier.</i> Japan discontinues her co-operation with the technical organs of the League.
November 3rd	The Commission for the verification of the withdrawal from Spain of non-Spanish combatants draws up, in agreement with the Spanish Government, a plan for the verification of the withdrawal.
November 5th-10th	<i>Occupation of the territory ceded to Hungary by Czecho-Slovakia.</i>
November 9th	Publication by the United Kingdom Government of documentation on Palestine and of a White Book rejecting the plan for partition.
November 14th-15th	Meeting of the Supervisory Commission at Paris (Chairman : M. J. RÉVEILLAUD, French).
November 15th	Publication of a volume on <i>The Recreational Cinema and the Young</i> .

November 16th	<i>The Anglo-Italian Agreement of April 16th comes into force.</i>
November 16th-18th	Meeting of the Budgetary Economies Committee at Paris (Chairman : Count CARTON DE WIART, Belgian).
November 17th	Award of the Nobel Peace Prize to the Nansen International Office for Refugees. <i>Signature of an Anglo-American Trade Agreement at Washington.</i>
November 21st-26th	Meeting of the Committee of Experts on the inspection of meat and measures for ensuring its soundness (Chairman : Dr. BOUSSARD, French).
November 21st-30th	Second session of the Committee of Experts for the Codification of Road Law (Chairman : M. C. WALCKENAER, French).
November 23rd	Publication of <i>International Trade in Certain Raw Materials and Foodstuffs, 1937.</i>
November 25th	Meeting of the Governing Body of the Nansen International Office. The President, M. HANSSON (Norwegian) is appointed liquidator of the Office.
November 28th	Meeting of the Committee of Experts to study the behaviour of tax systems (Chairman : Mr. R. G. HAWTREY, United Kingdom).
November 29th	Meeting of the Sub-Committee of Experts for the study of questions of financial statistics (Chairman : Sir Alfred FLUX, United Kingdom).
December 1st-2nd	Meeting of Experts to study the problem of schistosomiasis (Chairman : Professor LEIPER, United Kingdom).
December 1st-3rd	Meeting of the Sub-Committee of the Economic Committee set up to determine the lines of the enquiry concerning the raising of the standard of living (Chairman : Mr. F. L. McDougall, Australian).
December 2nd	<i>Italy accedes to the London Naval Treaty of 1936.</i>
December 3rd	Signature at Paris of an International Act giving to the Institute of Intellectual Co-operation the character of an organisation founded on collective agreements.
December 5th-8th	Second session of the Delegation on Economic Depressions (Chairman : Sir Frederick PHILLIPS, United Kingdom).

December 6th	Publication of a volume on <i>The Placing of Children in Families</i> . <i>Signature at Paris of a Franco-German Declaration.</i>
December 6th-9th	Meeting of a group of Experts of the Housing Commission with a view to the preparation of the European Conference on Rural Life (Chairman : Professor PARISOT, French).
December 9th-12th	The Budgetary Economics Committee (Chairman : Count CARTON DE WIART, Belgian), meeting at Brussels, decides that the League budget for 1940 must be 20 % less than that for 1939.
December 9th-14th	Sixty-seventh session of the Financial Committee (Chairman : M. BRAMSNAES, Danish).
December 10th-24th	<i>Pan-American Conference at Lima.</i>
December 12th	Meeting of the Executive Committee of the International Relief Union. Publication of the <i>Armaments Year-Book, 1938</i> .
December 12th-15th	Meeting at Berne of a Sub-Committee of Experts of the Opium Committee instructed to bring up to date the list of drugs covered by the international narcotics Conventions (Chairman : Dr. CARRIÈRE, Swiss).
December 14th	Publication of the <i>Statistical Year-Book of the Trade in Arms and Ammunition, 1938</i> .
December 16th	Four million doses of anti-smallpox vaccine are ordered by the League at its own expense for the Chinese Government. Meeting at Paris of the Special Committee on Contributions (Chairman : M. HAMBRO, Norwegian).
December 17th	<i>The Italian Government declares that the Franco-Italian Agreements of January 1935 are no longer valid.</i>
December 19th-20th	Meeting at Paris of the Executive Committee of the Intellectual Co-operation Organisation (Chairman : M. DE REYNOLD, Swiss).

